

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

PUBLIC AFFAIRS COMMITTEE

**Monday, September 22, 2014
6:30 P.M. - Committee Room (A)**

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
 - A. Public Affairs Committee of August 25, 2014
3. Public Participation / Presentations
4. Items for Consent
 - A. An Ordinance Modifying Chapter 4, Article I, Building Code, of the Code of Ordinances of the City of West Chicago (Life Safety Code).
5. Items for Discussion
 - A. Funding for the MRTC-Kenneth D. Salomon, Thompson Coburn LLP
 - B. Modification of the City Code to Allow Backyard Chickens
6. Unfinished Business
 - A. Engine Braking
7. New Business
8. Reports from Staff
 - A. Traffic Management Report
9. Adjournment

DRAFT

MINUTES

PUBLIC AFFAIRS COMMITTEE

August 25, 2014, 6:30 P.M.

1. Call to Order, Roll Call, and Establishment of a Quorum.

Chairman Chassee called the meeting to order at 6:30pm. Roll Call found Alderman Earley, Hallett and Meissner. Alderman Fuesting joined the committee at 6:35pm and Alderman Murphy at 6:48pm

Alderman Edwalds was not present.

Also in attendance were Commander Laub; Krista Coltrin, Assistant Marketing Coordinator; Bob Kosman, President of the Forest Trails Homeowners Association; David Sabathne, President of Western DuPage Chamber of Commerce.

2. Approval of Minutes

A. Public Affairs Committee of June 23, 2014. Alderman Hallett made a motion, seconded by Alderman Meissner to approve the minutes of the Public Affairs Committee Meeting with no changes. Voting Yea: Chairmen Chassee, Alderman Earley, Hallett and Meissner. Voting Nay: 0. Motion carried.

3. Public Participation / Presentations.

A. New City Website. Krista Coltrin gave a demonstration to the Committee and attendees on the new City website which will go live on September 1st, 2014.

B. Final Railroad Days Report from the Western DuPage Chamber of Commerce.

4. Items for Consent.

5. Items for Discussion.

A. Engine Braking. Chairman Chassee directed Commander Laub to research and present at the next meeting the possibility of having additional signs installed on Illinois Route 59 warning drivers of the intersection with Hawthorne Lane.

6. Unfinished Business.

7. New Business.

8. Reports from Staff.

A. Traffic Management Reports

9. **Adjournment.** Alderman Earley made a motion to adjourn, seconded by Alderman Hallett. The motion was approved by voice vote, and the meeting adjourned at approximately 7:20pm.

Respectfully submitted,

Yahaira Bautista

Yahaira Bautista

Administrative Assistant

West Chicago Police Department

CITY OF WEST CHICAGO

PUBLIC AFFAIRS COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

AN ORDINANCE MODIFYING
CHAPTER 4, ARTICLE I, BUILDING CODE,
OF THE CODE OF ORDINANCES
OF THE CITY OF WEST CHICAGO

Ordinance # 2014-O-0022

AGENDA ITEM NUMBER: 4.A.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: September 22, 2014

COUNCIL AGENDA DATE: _____

STAFF REVIEW: John Fincham, Asst. Comm. Dev. Dir.

SIGNATURE



APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE

ITEM SUMMARY:

Pursuant to the Illinois Fire Investigation Act (425 ILCS 25), the Office of the State Fire Marshal formally adopted the National Fire Protection Association's *Life Safety Code* (NFPA 101), *2000 Edition*, as the State's minimum fire prevention and safety code. In conjunction with the authority granted by the Fire Investigation Act, the 2000 edition of NFPA 101 became the minimum requirement that must be met statewide. The Act provides that all municipalities must enforce this code or a code of equal or higher standards.

The attached Ordinance creates a new municipal code section 4-10. Life Safety Code under the Building Code and adopts the 2000 edition of NFPA 101. The amendments also attached to the ordinance mirror those established by the State Fire Marshal.

Please see the attached memo for further details.

ACTIONS PROPOSED:

Consideration of an Ordinance to adopt the *Life Safety Code* (NFPA 101), *2000 Edition* within the existing Building Code.

COMMITTEE RECOMMENDATION:



CITY OF WEST CHICAGO
Community Development Department
475 Main Street
West Chicago, IL 60185

(630) 293-2200
FAX (630) 293-1257

Memo

To: John D. Said, Community Development Director
From: John D. Fincham, MCP, Assistant Community Development Director
Date: September 9, 2014
Re: Proposed Ord. 2014-O-0022 – Life Safety Code (NFPA 101) 2000 Edition

Pursuant to the Illinois Fire Investigation Act (425 ILCS 25), the Office of the State Fire Marshal (OSFM) formally adopted the *Life Safety Code* (NFPA-101), *2000 Edition*, published by the National Fire Protection Association, as the State's minimum fire prevention and safety code. In conjunction with the authority granted by the Act, NFPA-101 became the minimum requirement that must be met statewide for new and existing buildings.

The Act also provides that all municipalities must enforce this code or a code of equal or higher standards. The City of West Chicago is currently enforcing the *2009 ICC International Fire Prevention Code* (IFC). However, per OSFM, they are not considered equivalent in standards, especially with respect to existing occupancies.

Therefore, to comply with the requirements of the Act, the attached ordinance creates a new municipal code section 4-10. Life Safety Code under the building code and adopts the 2000 edition of NFPA-101. The proposed amendments to the code also mirror those established by the OSFM.

I have researched both codes, and the notable differences between them are as follows:

1. Fire Extinguishers. Requirements vary in that IFC will mandate fire extinguishers where NFPA-101 does not. For example, in assembly uses, IFC requires fire extinguishers be provided unless a quick-response fire sprinkler system is installed. However, NFPA-101 would not require them under any conditions. In this instance, IFC is more stringent.
2. Fire Sprinklers. Differences in fire sprinkler requirements are not a significant factor because our local ordinance already requires them in all new commercial construction regardless of the size of the building. In addition, per our existing ordinance, a change in occupancy of an existing building may trigger installation of fire sprinklers if the new use is a higher degree of hazard. There is also an exception for restaurants under 2,500 square feet. Per NFPA-101, that requirement is 15,000 SF for restaurants and increases to 30,000 SF for retail uses. As a result, our local ordinance is more likely to trigger a sprinkler retro-fit than NFPA-101.
3. Egress Capacity. NFPA-101 is more stringent in requirements as they relate to required exits. For example, for an assembly use, NFPA-101 requires that the main entrance be sized to accommodate one-half of the occupant load of the structure.

IFC only makes that requirement when the occupancy load exceeds 300 persons. Consequently, under NFPA-101, some new assembly uses – churches, theatres, conference centers, restaurants, etc. – may be required to provide additional exiting.

4. Vertical Opening Protection. Both codes address how openings between floors in a building, for example stairways, are protected so as to prevent passage of smoke and fire. IBC will allow 2 story openings, in some circumstances, before protection, such as smoke tight or fire rated stairway enclosure, is required. NFPA-101 has no such provisions making it more stringent in this area.
5. Single-family Residential. There are no significant provisions affecting new and existing single-family homes exist in NFPA-101 except that single-station smoke detectors (battery only) are not required in existing bedrooms. However, the 2009 *ICC International Property Maintenance Code*, currently adopted by the City, does require them.

Other than those differences listed above, the primary disadvantage to adopting NFPA-101 is that there could likely be some initial staff confusion during building plan reviews and inspections as to which provision of the two codes should apply. Fortunately, our local amendments already have provisions that state when there is a conflict, the most stringent code requirement applies.

In summary, as enforcement of NFPA-101 is a State mandate, and in my opinion, most differences between it and the IFC are not significant, I recommend we proceed with adoption as proposed. This will show compliance with the Illinois Fire Investigation Act and also better facilitate local enforcement of those requirements when needed.

If you have any questions, please let me know.

ORDINANCE NO. 2014-O-0022

**AN ORDINANCE MODIFYING
CHAPTER 4, ARTICLE I, BUILDING CODE
OF THE CODE OF ORDINANCES
OF THE CITY OF WEST CHICAGO**

WHEREAS, the City of West Chicago is authorized, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 et. seq., to establish requirements relating to the regulation of construction of buildings and other structures; and,

WHEREAS, the City of West Chicago is a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and,

WHEREAS, the Office of the Illinois State Fire Marshal has mandated by State Statute that all municipalities must enforce the 2000 Life Safety code (NFPA 101), and

WHEREAS, the City Council of the City of West Chicago has determined that it is reasonable and in the best interest for the City to comply with the State Fire Marshal's mandate.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, DuPage County, Illinois, in regular session assembled, as follows:

Section 1. That Chapter 4, Article I, Section 4-10 of the Code of Ordinances of the City of West Chicago is hereby created and the following wording inserted:

See Exhibit "A" attached hereto which is, by this reference, incorporated herein.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in a manner provided by law.

PASSED this _____ day of _____ 2014.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Smith	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman A. Murphy	_____
Alderman K. Meissner	_____	Alderman J. Smith, Jr	_____
Alderman R. Stout	_____	Alderman M. Edwards	_____
Alderman M. Fuesting	_____	Alderman J. Banas	_____

APPROVED as to form: _____
City Attorney

APPROVED this ____ day of _____ 2014.

Ruben Pineda, Mayor

ATTEST:

Nancy M. Smith, City Clerk

EXHIBIT A

Sec. 4-10. Life Safety Code.

(a) *Adopted.* There is hereby adopted by reference, as if fully set out herein, that certain code known as the “2000 NFPA 101 - Life Safety Code,” as prepared and published by the National Fire Protection Association, Inc., together with the additions, insertions, deletions and changes hereinafter set forth, one (1) copy of which has been for a period of more than thirty (30) days prior to the effective date hereof and now is on file in the office of the City Clerk.

(b) *Amendments.* The following additions, insertions, deletions and changes are hereby made to the above adopted life safety code.

1. Child Care Facilities

- a. Day Care Centers. Those facilities regulated under Chapters 16 and 17 (Day-Care Centers) of the Life Safety Code shall include only:
 - i. any facility licensed as a Day Care Center by the Department of Children and Family Services;
 - ii. any unlicensed facility that regularly provides day care for less than 24 hours per day for more than 8 children in a family home, or more than 3 children in a facility other than a family home;
 - iii. part day child care facilities, as defined in the Child Care Act of 1969.
- b. Day Care Homes. Those facilities regulated under Chapters 16 and 17 (Family Day-Care Homes) of the Life Safety Code shall include only:
 - i. any facility licensed as a day care home by the Department of Children and Family Services;
 - ii. any unlicensed facility that is a family home that receives more than 3 up to a maximum of 12 children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of 12. This subsection (b)(1)(B) does not affect facilities that receive only children from a single household.
- c. Group Day Care Homes. Those facilities regulated under Chapters 16 and 17 (Group Day-Care Homes) of the Life Safety Code shall include only:
 - i. any facility licensed as a group day care home by the Department of Children and Family Services; or
 - ii. any unlicensed facility that is a family home that receives more than 3 up to a maximum of 16 children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of 12.

- d. For purpose of determining the classification of a child care facility, current Department of Children and Family Services guidelines will be applied.
2. Child-to-Staff Ratios - Child-to-Staff ratios in day care facilities shall comply with 89 Ill. Adm. Code 406 and 407 and with the Child Care Act of 1969. Any conflicting provisions of the Life Safety Code are inapplicable.
3. One- and Two-Family Dwellings - Chapter 24 (One- and Two-Family Dwellings) is adopted as recommended guidelines only.
4. When clients occupy a level below the level of exit discharge in a day care home or group day care home occupancy, exiting shall be provided in accordance with the requirements of the applicable edition of the Life Safety Code, or with the following:
 - a. Primary Means of Egress
 - i. If an exit discharging directly to the outside at the basement level is not provided, and therefore occupants must traverse another level of the home to exit, the path of egress through the level of exit discharge shall be separated from the remainder of that level of the home by construction providing a minimum fire resistance rating of 1-hour, or
 - ii. The home shall be equipped with smoke detectors permanently powered by the building's electrical system and wired so that the actuation of one detector will actuate all the detectors in the dwelling. At least one such smoke detector shall be located on each level of the occupancy (excluding unoccupied attics), and the path of egress through the level of exit discharge (from the basement door to the exterior door of the home) must be protected by automatic fire sprinklers. Listed residential sprinklers shall be used and the installation shall be made in accordance with National Fire Protection Association Standard #13D, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes – 1994 edition.
 - b. Secondary Means of Egress - If a window is used where the size is not in accordance with the applicable edition of the Life Safety Code, the owner or operator of the day care or group day care home must demonstrate to an onsite representative of the Illinois State Fire Marshal that all occupants (staff and clients) can escape through the window to the exterior of the home in 3 minutes or less. The bottom sill of any window used as a secondary means of escape shall be within 44 inches of the floor as required by the Life Safety Code, or a permanently fixed stair or ramp shall be installed at the window to allow occupants to be within 44 inches of the bottom window sill when standing atop the stair or ramp.

CITY OF WEST CHICAGO

PUBLIC AFFAIRS COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Possible amendments to the Municipal Code concerning backyard chickens

AGENDA ITEM NUMBER:

5.B.

FILE NUMBER:**COMMITTEE AGENDA DATE:**

September 22, 2014

COUNCIL AGENDA DATE:

STAFF REVIEW: John D. Said

SIGNATURE J. D. S. 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

At its August 4, 2014 meeting, the City Council directed staff to complete preliminary research on regulations to permit backyard chickens and to present the results of that research to the Public Affairs Committee. In response to City Council direction, Community Development Department staff is providing the following information concerning backyard chicken regulations for consideration of this matter.

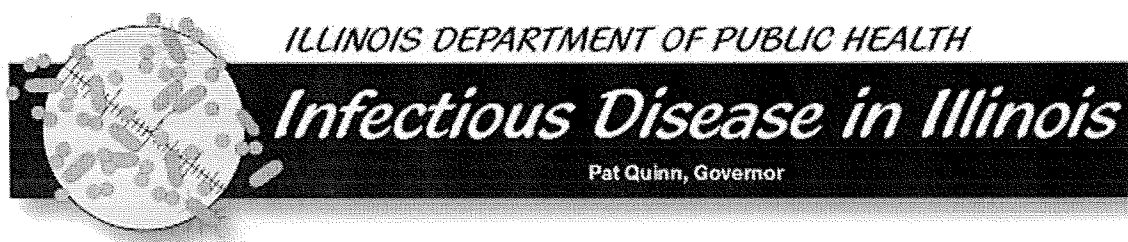
A number of DuPage area communities have provisions allowing backyard chickens, as noted in the attached 2013 Survey completed by the DuPage Mayors and Managers Conference (DMMC). The survey indicates a wide variety of regulations among the surveyed municipalities. In general, those communities that allow chickens regulate the maximum number allowed and placement of chicken coops. A number of the communities also require minimum lot sizes and, in some cases, prohibit roosters (likely due to noise issues).

Currently in West Chicago, the Municipal Code does not allow for chickens. Section 11-78 prohibits "any roosters, chickens or any similar fowl, or hybrid thereof."

There are a number of issues associated with chickens in urban (and suburban) settings, as detailed in the attached information from the Illinois Department of Public Health. A number of diseases and illnesses are associated with poultry, along with potential attraction of predators, such as coyotes and foxes (which can also compromise the safety of small pets), and rodents. Other nuisance factors such as smells and noise have been identified as concerns with backyard chickens. Finally, creation of regulations to allow backyard chickens may cause enforcement complications, such as verifying compliance (with requirements such as number of chickens and coop locations), and neighbor nuisance complaints.

In addition to the DMMC survey and Illinois Department of Public Health document, the attached information includes data from nearby communities, including Warrenville, St. Charles, Naperville, and Elgin, for the Committee's consideration.

ACTIONS PROPOSED:
Consideration of possible Municipal Code amendments regarding backyard chickens.
COMMITTEE RECOMMENDATION:



Human Health Concerns About Raising Poultry

An increasing number of citizens want to raise chickens in urban environments as a hobby or they may believe this method of raising birds for food may be safer or less expensive. Citizens should check to make sure that flocks are allowed in the area where they reside before purchasing poultry. This document examines the public health significance of some common concerns about urban poultry farming.

Bacterial diseases

Salmonella and *Campylobacter* are common public health hazards potentially associated with chicken contact. These bacteria are carried by healthy chickens and are communicable to people through direct contact, exposure to manure, or consumption of undercooked chicken and eggs. Infection is characterized by diarrhea, vomiting, fever, and/or abdominal cramps; small children, elderly persons, and those with weakened immune systems are more susceptible to severe illness. Young birds may be especially prone to shed these organisms in their droppings. This poses a hazard to anyone who comes into contact with the droppings. The public health hazards associated with *Salmonella* and *Campylobacter* are expected to be limited to those who are in contact with the chickens or their droppings or consume their meat or eggs without thorough cooking. There have been several multi-state outbreaks of human *Salmonella* infections from handling baby chicks. These hazards could be mitigated by avoiding contact with poultry feces, carefully washing hands with soap and water after handling the birds, avoiding hand-to-mouth contact while working with birds and education about food safety.

Histoplasmosis

Histoplasmosis can cause a respiratory disease with cough and shortness of breath. The fungal organism causing this disease is present throughout the Midwest but can be concentrated in areas with quantities of bird droppings. Persons acquire the disease by inhalation of the organism from the environment. Therefore, it is critical that flock owners have a method to maintain the property to minimize the accumulation of bird droppings. Animal waste should be disposed of in a safe manner.

Avian influenza (bird flu)

Avian influenza is a theoretical public health hazard potentially associated with urban chicken farming. Birds can shed the organism in the saliva, nasal secretions and feces. Avian influenza is a viral disease of birds that is communicable to people through exposure to respiratory or fecal secretions. The risk of human avian influenza infections in the United States is extremely low and is expected to be limited to those who are in contact with infected chickens.

Exotic Newcastle disease

Exotic Newcastle disease, a viral disease that is not normally found in the United States, is not a significant public health hazard in this context. While exotic Newcastle disease can cause mild eye infections in people, the greater concern is that the introduction of exotic Newcastle disease in privately owned chicken flocks can cause major economic damage in communities where commercial chicken farming is an important industry.

Attraction of predators

The attraction of predators is a public health hazard potentially associated with urban chicken farming. The presence of chickens on a property might attract urban predators such as stray dogs, foxes and coyotes. This would increase the probability of conflict between humans and predators in the urban environment (e.g., animal bites). This hazard could be mitigated by requiring flock owners to provide sufficient structural protection to prevent predator access to their flocks.

Attraction of rodents

The attraction of rodents is a public health hazard potentially associated with urban chicken farming. Failure to maintain a clean environment for the chickens could attract mice or rats to a property. This hazard could be mitigated by educating flock owners on the proper care and maintenance of chicken flocks including the proper storage of bird feed.

Nuisance issues

The odor and noise that might be associated with urban chicken farming are not public health hazards. Poultry may escape into neighbors' yards. Flies might be attracted to the area unless adequate fly control is practiced. Communities are advised to have a system in place for handling public complaints regarding these issues if they allow urban poultry flocks.

Management and handling of poultry in small backyard flocks

- Keep baby chicks and adult poultry away from persons with weaker immune systems, including the elderly, pregnant women, diabetics, patients receiving chemotherapy and people infected with HIV.

- The Centers for Disease Control and Prevention recommends that person not keep chickens if the household has children less than five years of age.
- Make sure that people who handle the chickens or their droppings, wash hands properly with soap and water following contact.
- Do not eat or drink around the poultry.
- Keep poultry away from food preparation areas.
- Do not wash items, such as water or food dishes, from chicken coops in the kitchen sink.
- Do not allow poultry to roam in the house.
- Maintain the area where the poultry are present in a sanitary manner.
- See your physician if you experience fever and diarrhea.

Conclusion

The public health hazards potentially associated with urban chicken farming should be weighed against individual and community benefits. Public health infectious disease hazards can be mitigated by education and regulation and are expected to be limited to those who are in contact with the chickens or consuming their meat or eggs without thorough cooking.

Communities that permit urban chicken farming are advised to ensure that flock owners receive educational materials on infectious diseases, animal husbandry, food safety and biosecurity. These communities also should have a system in place for responding to community complaints.

References

CDC. Keeping Live Poultry. Available at <http://www.cdc.gov/Features/SalmonellaPoultry>.

CDC. Preliminary FoodNet Data on the Incidence of Infection with Pathogens Transmitted Commonly Through Food—10 States, 2009. MMWR 2010;59:418-422.

CDC. Multistate Outbreaks of *Salmonella* Infections Associated with Live Poultry --- United States, 2007. MMWR 2009; 58: 25-29.

CDC. Three Outbreaks of Salmonellosis Associated with Baby Poultry from Three Hatcheries --- United States, 2006. MMWR 2007;56:273-276.

CDC. Salmonella Serotype Montevideo Infections Associated with Chicks -- Idaho, Washington, and Oregon, Spring 1995 and 1996 . MMWR 1997;46:237-239.

National Association of State Public Health Veterinarians. Compendium of Measures to Prevent Disease Associated with Animals in Public Settings, 2009. MMWR 2009;58(RR-5):1-21.

Scallan E et al. Foodborne Illness Acquired in the United States—Major Pathogens. Emerg Infect Dis. 2011 Jan; [Epub ahead of print].

Swayne DE and King DJ. Zoonosis Update: Avian influenza and Newcastle disease. Jour Amer Vet Med Assoc 2003;222:1534-1540.

United States Department of Agriculture. Biosecurity for Birds. Available at http://www.aphis.usda.gov/animal_health/birdbiosecurity.

Poultry Safe Handling Posters: [English](#) | [En Español](#)

March 2012

idph online home



Illinois Department of Public Health
535 West Jefferson Street
Springfield, Illinois 62761
Phone 217-782-4977
Fax 217-782-3987
TTY 800-547-0466
[Questions or Comments](#)

DuPage Mayors and Managers Conference Survey Results -- Backyard Chicken Ordinances - 2013

Town	Contact	Email	Phone	Chickens Allowed?			Setback	Enclosure Requirements	Use Restrictions	Qty Allowed
				Yes	No	Ordinance				
Addison	Joe Block (checked code online)	joe@addison-il.org		X			Not less than two hundred feet (200') from any residence, or any building used in part for a residence, except the residence of the owner or keeper thereof; or at a distance of less than two hundred feet (200') from a lot zoned for residence purposes, or from any street or alley of the city.			8 domestic hens
Bloomington	Martin Bourke	bourkem@vil.bloomington.il	630-671-5611	X						
Bolingbrook	Jim Boan	jboan@bolingbrook.com	630-571-0480 x223	X			Enclosure shall be located in the rear buildable area with a minimum setback from the interior side and corner side lot lines equal to the setback of the principal building. Minimum setback from the rear lot line of 10 feet.	Enclosure not to exceed 150 square feet designed for keeping chickens, to prevent access by wild animals, or attraction of rodents. The enclosure shall include an open area enclosed with hardware cloth buried at the perimeter at least 6 inches in the ground.		4 hens per acre; no roosters.
Burr Ridge	Douglas Pollock	DPOLLOCK@BURR-RIDGE.GOV	630-654-8181	X			1 acre or more			
Carol Stream	Joe Breinig	jbreinig@carolstream.org			X			All fowl shall be kept in a pen or coop at all times. Enclosure shall be cleaned at least once every 24 hours and refuse disposed of in a clean and sanitary fashion. All feed shall be kept in rodent-proof containers.		4 over 18 weeks; 4 under 18
Downers Grove	Allison Deitch	adeitch@downers.us		X			Minimum of 50 feet from any property line.			
Elmhurst	James Grabowski	james.grabowski@elmhurst.org								
Glen Ellyn	Staci Hulseberg	shulseberg@glennelln.org	630-547-5240	X						
Harvey Park	Katie Bowman	kbowman@hplil.org	630-823-5779	X						
Hinsdale	David Cook	dcook@villageofhinsdale.org	630-789-7013		X			Unlawful to house or keep any live poultry within 150 feet of any residence except the owner; or within 150 feet of any public street		
Itasca	Grant Davis	gdavis@itasca.com	630-773-5568	X						
Lombard	Dave Hulseberg	Hulsebergd@villageoflombard.org	630-620-5756	X						
Oak Brook	David Niemeyer	Dniemeyer@oak-Brook.org		X			100 ft. from nearest lot or street line, not less than 50 feet from the nearest interior and rear lot line;			
St. Charles	Brian Townsend	brownsend@stcharlesil.gov	630-377-4425	X					May be kept only for the exclusive use by residents.	No roosters.
Villa Park	Rich Keehner Jr.	rkeehnerjr@inviapark.com	630-592-6051	X						
Warrenville	Marie Lupo	Mlupo@warrenville.il.us	630-836-3036	X			Coops shall not be allowed to be located in any part of a home and/or garage. May be located adjacent to a principal or other accessory building	Chickens must be in a coop, a structure exclusively used for housing chickens; or a run, an enclosed outside yard for keeping chickens. Chickens shall be confined at all times.		No more than 4 chickens. No roosters
Wayne	Harlan Spiroff	spirloff@thesglawfirm.com		X			50 feet from the lot line.	Must be housed in a private stable located only in the rear yard.		1 per acre
West Chicago	Jeff Harris	jharris@westchicago.org	630-293-2200	X						
Wheaton	Don Rose	Drose@wheaton.il.us		X						
Willowbrook	Tim Halik	Thalik@willowbrook.il.us	630-920-2261	X						
Winfield	Peter Krumins	pkrumins@villageofwinfield.com	630-933-7100	X						

Wood Dale	Wendy Bednarz	Wbednarz@wooddale.com	630-787-3711		X				Prohibits chickens within 450 feet of any residence other than owner's residence.			
Woodridge	Kathleen Rush	krush@vil.woodridge.il.us			X							

CITY OF WARRENVILLE
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 2539

**ORDINANCE AMENDING ORDINANCE NO. 1018, ZONING
ORDINANCE OF THE CITY OF WARRENVILLE, RE KEEPING
OF CHICKENS AND HEIGHT OF PROTECTION FENCES**

WHEREAS, the City of Warrenville has duly enacted a Zoning Ordinance, Ordinance No. 1018, in the manner provided by law; and

WHEREAS, after publication as provided by law, the Plan Commission of the City of Warrenville held a public hearing on April 9, 2009, continued from time to time until August 6, 2009 with respect to Zoning Ordinance amendments and subsequently recommended that the City Council amend the Zoning Ordinance as set forth hereinafter; and

WHEREAS, the Mayor and City Council find and hereby declare that it is in the best interests of the City to amend the provisions of Ordinance No. 1018, Zoning Ordinance as recommended by the Plan Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be, and they are hereby, incorporated within this Section One as findings of fact as if said recitals were fully set forth herein.

SECTION TWO: Subparagraph 10.A.3.B of Ordinance No. 1018, Zoning Ordinance of the City of Warrenville, shall be and is hereby amended so that said Subparagraph 10A.3.B shall hereafter be and read as follows:

B. Fences

Maximum height of a fence in a Residential District, measured from the finished grade at the fence post, shall be 6 feet. Fences shall display the finished side toward the abutting property. The height of protection fencing/backstops shall not exceed 30 feet for baseball and softball

fields, 16 feet for batting cages, 12 feet for tennis courts, and 10 feet for all other recreational equipment.

SECTION THREE: Table 3A (Permitted and Special Uses in All Zoning Districts) of Ordinance No. 1018, Zoning Ordinance of the City of Warrenville, shall be and is hereby amended so that said Table 3A shall hereafter include the following:

<u>Land Use</u>	<u>Most Restrictive (Lowest Numbered) District Use Is a Permitted Use in</u>	<u>Most Restrictive (Lowest Numbered District Use Is a Special Use in</u>
Chickens, keeping of	R1	

SECTION FOUR: The second paragraph of Subsection 10.A.1.A (Compatibility) of Ordinance No. 1018, Zoning Ordinance of the City of Warrenville, shall be and is hereby amended so that said paragraph shall hereafter be and read as follows:

Except for the keeping of horses, llamas, and chickens as provided herein and as an accessory use to agriculture where permitted herein, the keeping, preparation, or culture of poultry (not including pigeons), or livestock shall not be an accessory use.

SECTION FIVE: A new Subparagraph C shall be and is hereby added to Subparagraph 10.A.2, which new Subparagraph 10.A.2.C shall be and read as follows:

C. Keeping of Chickens

Chickens may be kept on lots of 10,000 square feet or more in any Residential District, provided that:

- a. no more than 4 chickens shall be allowed on a property;
- b. no roosters shall be allowed;
- c. chickens shall be confined at all times in a chicken coop and chicken run;
- d. a chicken coop and chicken run shall be provided as required in Tables 10A and 10B;
- e. chicken coops shall not be allowed to be located in any part of a home and/or attached garage but may be located adjacent to a principal or other accessory building or within an accessory building;

- f. chicken feed shall be kept in a predator/rodent proof container.

SECTION SIX: Table 10B, Permitted Obstructions of Required Yards, of Ordinance No. 1018, of the Zoning Ordinance shall be and is hereby amended to add "Chicken Coop/Chicken Run" with an X appearing only under "Rear Yard."

SECTION SEVEN: Table 10A, Standards for Accessory Structures, of Ordinance No. 1018, of the Zoning Ordinance shall be and is hereby amended to include "Chicken Coop and Chicken Run, which new provision shall hereafter be and read as follows:

	Front and Corner Side Lot Lines	Other Lot Lines
Chicken Coop and Chicken Run	--	20' from interior side, 3' from rear

SECTION EIGHT: Section 13, Definitions, of Ordinance No. 1018, Zoning Ordinance of the City of Warrenville, shall be and is hereby amended to add definitions for the terms "chicken coop" and "chicken run," which definitions shall hereafter be and read as follows:

CHICKEN COOP: A structure exclusively used for the housing of chickens. A chicken coop is not considered a building for the purposes of this ordinance.

CHICKEN RUN: An enclosed outside yard for keeping chickens.

SECTION NINE: The remaining provisions of the Zoning Ordinance that are not expressly amended herein are hereby ratified and affirmed and shall remain in full force and effect.

SECTION TEN: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 8th day of September, 2009

AYES: Ald. Barry, Leonard, Weidner, Schultz, Bevier, Halley, Aschauer, and Wiesbrock

NAYS: None

ABSENT: None

APPROVED THIS 9th day of September, 2009

ATTEST:

Emily J. Larson
CITY CLERK

MAYOR

[Signature]

LKL143063WREV9/3/09

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF WARRENVILLE,
DUPAGE COUNTY, ILLINOIS, THIS
9 DAY OF Sept 20 09
Emily J. Larson
CITY CLERK

City of St. Charles
Ordinance No. _____

**An Ordinance Amending Title 6 of the St Charles Municipal Code, Entitled
“Animals”, Chapter 6.12 “Regulations”, by adding Section 6.12.095
“Residential Chickens.”**

WHEREAS, the City of St. Charles Municipal Code has regulations pertaining to the keeping of chickens on residential property in the City of St. Charles; and

WHEREAS, the City Council has directed City staff to provide additional, reasonable criteria to continue to allow and further regulate residential chickens; and

WHEREAS, the City has experienced very few problems during the years allowing residential chickens; and

WHEREAS, many communities in the region have adopted ordinances regulating chickens for personal use; and

WHEREAS, the City Council has reviewed the recommendation of the City Planning and Development Committee held on July 14, 2014 for changes to Municipal Code, Title 6; and

WHEREAS, it is in the best interest of the City of St. Charles and its residents that the proposed ordinance be adopted by the City Council of the City of St. Charles;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

SECTION ONE: That Title 6 “Animals”, Chapter 6.12 “Regulations” of the St. Charles Municipal Code, be and is hereby amended by adding Section 6.12.095 “Residential Chickens”.

“6.12.095 Residential Chickens

- A) Up to six (6) domestic chickens may be kept on properties zoned and occupied for single-family residential use only.
- B) Roosters are prohibited within the corporate boundaries of the City of St. Charles.
- C) Chickens shall be in an enclosure and/or fenced area at all times.
- D) All chickens and enclosures shall be kept in the rear yard.
- E) All areas where hens are kept shall be maintained in a neat and clean manner, free of undue accumulation of waste, such as to cause odors that are detectable on adjacent properties.
- F) No person and/or property owner shall be allowed to violate Section 6.12.060 “Nuisance” of the St. Charles Municipal Code.

- G) The enclosure and adjacent fenced area shall be set back:
- a. No closer than five (5) feet to any property line; and
 - b. Screened with year round landscaping, walls and/or fencing so as not to be visible from any public street or adjoining lot when viewed from an observation height of five (5) feet above grade."

SECTION TWO: That after the adoption and approval hereof this Ordinance shall be printed or published in book or pamphlet form, published by the authority of the City Council.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage in accordance with law and this ordinance is authorized to be printed or published in book or pamphlet form by the authority of the City Council.

Presented to the City Council of the City of St. Charles, Illinois this 21st day of July, 2014.

Passed by the City Council of the City of St. Charles, Illinois this 21st day of July, 2014.

Approved by the Mayor of the City of St. Charles, Illinois this 21st day of July, 2014.

Mayor

Attest:

City Clerk

Council Vote:

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

Approved as to Form:

City Attorney

Date: _____

City of Naperville regulations
(from the Police Regulations section of Municipal Code; chapter on Animal Control.)

10-4-6: FOWL AND LIVESTOCK: 

1.

Housing: All fowl and livestock shall be kept within a pen, coop, building or other enclosure sufficient in size and strength to confine such animals to the owner's property, except that livestock may be tethered securely to a fixed object outside the enclosure, but only if the animal is so confined to the owner's property. A permit shall be obtained from the City of Naperville prior to the construction, addition, or modification of any pen, coop, building or other enclosure used for the purposes of housing fowl or livestock.

2.

Zoning: Fowl and livestock may be kept in any area in the City except as otherwise provided by this Chapter or the City's Zoning Ordinance. ^[9]

3.

Restrictions:

3.1.

A maximum of eight (8) fowl shall be permitted on any property. Roosters shall be prohibited.

3.2.

No livestock shall be kept, housed, maintained, or pastured within a distance of two hundred (200) feet of any occupied residence other than that of the owner.

3.3.

No pen, coop, building or other enclosure used for the purpose of housing fowl (with the exception of homing pigeons) shall be erected or maintained within thirty (30) feet of any occupied residence other than that of the owner.

3.4.

Every person maintaining a pen, coop, building, yard or enclosure for fowl or livestock shall keep such area clean and sanitary at all times. Any dirt or refuse resulting from the fowl or livestock shall be disposed in a clean and sanitary fashion.

3.5.

All feed for fowl or livestock shall be kept in containers that are rodent-proof until put out for consumption by fowl or livestock.

3.6.

Any pen, coop, or other structure used for the purpose of housing fowl that is not fully-enclosed shall be screened to a height of six (6) feet. Said screening shall be comprised of fences or walls six (6) feet in height, landscaping of at least seventy-five percent (75%) opacity, such as non-deciduous plantings, or equivalent screening and shall be located either along the perimeter of the lot where the pen, coop, building or

other enclosure used for the purpose of housing fowl is located, or around the perimeter of the pen, coop, or enclosure itself.

(Ord. No. 12-013, § 2, 2-7-2012)

Editor's note—

Section 3 of Ord. No. 12-013 states the following: "Any housing for fowl or livestock lawfully established prior to February 7, 2012 shall be permitted to continue operating in accordance with provisions of law and the Municipal Code related to nonconforming uses for a six-month period expiring August 8, 2012. Upon completion of the amortization period, all housing for fowl or livestock shall operate in compliance with the provisions of Section 10-4-6 (Fowl and Livestock)."

Daily Herald

New video allegedly shows beheading of U.S. reporter

News | updated: 8/28/2014 12:02 AM

Elgin OKs first step toward hen pilot program



Video: Elgin OK's Backyard Chickens



Elena Ferrarin

A one-year pilot program allowing up to 15 residents to keep hens -- but no roosters -- in the backyards of single-family homes could be headed to Elgin.

The Elgin City Council's special committee voted 6-3 Wednesday in favor of the program, which would take effect in 2015 after formal approval by the council.

Council members Rich Dunn, Terry Gavin and John Prigge voted against the measure.

Councilwoman Carol Rauschenberger said she liked the idea of a trial run.

"Some people see this as pets. Some people see this as a learning experience for their children. Some people would like to have control over their food systems," she said.

Residents will be responsible enough to keep their chickens in a manner that is respectful to their neighbors, Councilwoman Rose Martinez said.

Councilwoman Tish Powell agreed.

"The regulations are restrictive enough that only those people that are serious and responsible will pursue raising chickens, " she said, adding many homeowners associations will ban the practice.

Under the proposed ordinance, no more than four chickens would be allowed per home. They would have to be kept in coops within enclosed pen areas.

Residents will need a to pay a one-time, \$65 building permit for the coops, which would have to be at least 25 feet from neighboring residential structures. Coops could be up to 50 feet and pen areas up to 100 feet.

Currently, there is a \$50 to \$750 daily fine for keeping farm animals on residential properties. Only certified poultry raisers can slaughter chickens, Corporation Counsel Bill Cogley said.

The pros and cons of allowing backyard chickens "are pretty even," Prigge said.

"I know in my heart that the public does not want farm animals to be kept in the city," he said.

Councilman Toby Shaw called it "a property rights issue at the most basic level."

"I think sharing a dozen eggs with a neighbor once in a while will go a long way to make folks happy," he said.

Residents would be issued permits on a first-come, first-serve basis.

At least 14 suburbs allow backyard chickens, including Batavia, Naperville, West Dundee, Bartlett, Libertyville and Warrenville. The animals are typically required to stay inside unless supervised.



WEST CHICAGO POLICE DEPARTMENT

MEMORANDUM

DATE: SEPTEMBER 11, 2014
TO: Michael Guttman, City Administrator
FROM: Stephen Laub, Patrol Division Commander
RE: Excessive Engine Braking

In July, Police Department staff was directed to research the positive and negative aspects of enacting an ordinance regulating excessive engine breaking. The research was completed and presented at the August 25, 2014 Public Affairs Committee meeting. During that meeting, staff was directed to research the possibility of posting signage along north and southbound Illinois Route 59 (Neltnor Boulevard) warning drivers they were approaching the intersection with Hawthorne Lane, which is controlled by a traffic light. In theory, the signage would warn drivers, including those driving commercial vehicles equipped with engine braking systems, of the approaching controlled intersection and provide them with a longer reaction time to slow their vehicles, thereby reducing the need to engage the engine braking system.

Following the meeting, staff surveyed the intersection of Illinois Route 59 and Hawthorne Lane and verified that there are already signs posted along north and southbound Illinois Route 59 warning drivers they are approaching the intersection with Hawthorne Lane. The sign posted along the southbound approach to Hawthorne Lane is topped with an amber flashing light, while the northbound sign is not.

On September 10, 2014, staff spoke with a representative from the Illinois Department of Transportation (IDOT), Engineering Division, who advised that there are no additional engineering solutions or fixes that would address the excessive engine braking concerns along Illinois Route 59 at/or near Hawthorne Lane. The IDOT representative indicated that the area has the proper signs posted, which should give motorists ample notice of the approaching traffic controlled intersection.

WEST CHICAGO POLICE DEPARTMENT TRAFFIC MANAGEMENT REPORT

Item # 8. A.

	Current vs. Prior Month				2 Prior Months			2014 vs. 2013		
	Aug 14	Jul 14	% Change	Jun 14	May 14	% Change	YTD 2014	YTD 2013	% Change	
TRAFFIC CITATIONS										
Regular Duty & Crash	252	329	-23%	318	512	-38%	2870	2797	3%	
Selective Enforcement	65	21	210%	11	72	-85%	185	312	-41%	
PARKING CITATIONS										
Parking Citations	302	207	46%	201	397	-49%	2635	1913	38%	
COMMERCIAL OVERWEIGHT ENFORCEMENT										
Citations	0	0	NC	0	0	NC	0	1	-100%	
DUI ARRESTS										
Regular Duty	2	6	-67%	5	10	-50%	46	57	-19%	
Selective Enforcement	0	0	NC	0	0	NC	0	0	NC	
ADMINISTRATIVE TOWS										
No Valid Driver's License	2	5	-60%	2	3	-33%	31	27	15%	
License Suspended	3	4	-25%	1	4	-75%	24	14	71%	
License Revoked	1	0	NC	0	0	NC	2	2	0%	
DUI	3	5	-40%	2	11	-82%	46	52	-12%	
Drug Possession	0	0	NC	0	0	NC	2	1	100%	
Warrant Arrest	0	0	NC	0	0	NC	0	0	NC	
Vehicle Amplification	0	0	NC	0	0	NC	0	0	NC	
Illegal Transp of Alcohol	0	0	NC	0	0	NC	0	1	-100%	
Total Citations	9	14	-36%	5	18	-72%	105	97	8%	
TRAFFIC CRASHES/INJURIES/FATALITIES										
Property Damage	55	38	45%	43	43	0%	524	553	-5%	
Injury Crashes	10	10	0%	10	9	11%	84	88	-5%	
No of Persons Injured	16	12	33%	13	11	18%	117	147	-20%	
Fatal Crashes	0	0	NC	0	0	NC	0	0	NC	
No of Persons Expired	0	0	NC	0	0	NC	0	0	NC	

NC=Not Calculable

Prepared by: WCCAUC 09/15/2014

TOP ACCIDENT LOCATIONS									
Aug 14	Jul 14	% Change	Jun 14	May 14	% Change	YTD 2014	YTD 2013	% Change	
North Ave & Powis Rd	2	NC	0	2	-100%	8	5	60%	
North Ave & Neltnor Blvd	7	250%	5	5	0%	38	24	58%	
Neltnor Blvd & Hawthorne Ln	0	NC	0	0	NC	4	5	-20%	
Neltnor Blvd & Washington St	1	NC	0	4	-100%	6	9	-33%	
Neltnor Blvd & Main St	0	-100%	2	1	100%	11	2	450%	
Neltnor Blvd & Forest Ave	2	NC	1	0	NC	5	5	0%	
Neltnor Blvd & Sarana Ave	0	NC	0	0	NC	0	0	NC	
Neltnor Blvd & Michael Browning Way	1	NC	1	2	-50%	11	23	-52%	
Roosevelt Rd & Sarana Ave	2	NC	0	0	NC	4	7	-43%	
Roosevelt Rd & Michael Browning Way	1	NC	0	0	NC	3	1	200%	
Roosevelt Rd & Joliet St	2	100%	2	1	100%	11	10	10%	
Roosevelt Rd & Fabyan Pkwy/ Washington St	3	NC	0	2	-100%	14	12	17%	
Roosevelt Rd & Kautz Rd	0	NC	1	0	NC	2	5	-60%	
PROGRAMS									
INCEPTION									
January 1, 2001									
During the month, the SMART trailer was used: (14) times									
5 Ton Truck Enforcement - Hawthorne Ln									
During the month, (2) tickets were written									
5 Ton Truck Enforcement - Joliet St									
During the month, (0) tickets were written									
5 Ton Truck Enforcement - E Washington St									
During the month, (2) ticket was written									
PERFORM CITY WIDE INOPERABLE/ABANDONED VEHICLE INVESTIGATIONS									
CYear-To-Date 2014									
7									
CY2013 Total									
11									
TRAFFIC RELATED HOT SPOTS									
CONCERN									
Citizen Complaints									
Contruction Zone, Distracted Driving, Impaired Driving and Speed									
5-Ton Violations									
Speeding									