

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)     Waiver of First Requested  
 Recommendations of Boards, Commissions & Committees (Green)  
 Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** November 21, 2022                      **(BOT) Date:** December 1, 2022

**SUBJECT:** Text Amendment to Section 90-04 of Village Code - Backyard Chickens

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development *for WJH*

**BACKGROUND/POLICY IMPLICATIONS:**

The Economic and Community Development Committee submits its recommendation to approve an ordinance regarding the above-referenced petition. The ECDC unanimously voted to recommend approval of amendments to the backyard chicken ordinance. The amendments would strike the provision limiting the number of chicken permits to fifty (50).

The ECDC recommended approval by a unanimous vote. Please place this item on the December 1, 2022 Board of Trustees agenda.

**Fiscal Impact/Funding Source:**

Review (as necessary):  
Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.





## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development

**MEETING DATE:** December 1, 2022

**SUBJECT:** **Backyard Chickens**

Please find the attached Economic and Community Development Committee (ECDC) memo and documents for Village Board consideration as part of the December 1, 2022 Board meeting. The ECDC unanimously voted to recommend approval of amendments to the backyard chicken ordinance. The amendments would strike the provision limiting the number of chicken permits to fifty (50).

### **ACTION REQUESTED**


The ECDC recommended approval by a unanimous vote. Please place this item on the December 1, 2022 Board of Trustees agenda.



## MEMORANDUM

**TO:** Trustee Anthony Puccio, Chairperson  
Economic and Community Development Committee

**FROM:** Jennifer Ganser, AICP, Assistant Director of Community Development

**MEETING DATE:** November 14, 2022 

**SUBJECT:** Backyard Chickens

On March 3, 2022, the Village Board approved ordinances to allow single-family homes the opportunity to have backyard chickens with regulations. One of the regulations in Section 90.04 is to limit the number of backyard chicken permits to fifty (50). Staff proposes to strike that regulation. This would also eliminate the need for a permit renewal. The permit renewal was added to keep track of the number of current homes with backyard chickens.

To date staff has issued 37 permits for backyard chickens. Staff has received questions from residents, and prospective residents, about the limit and the number of permits we have issued. We anticipate we may reach 50 by or near March 2022 as more people may want chickens in the spring. Code Enforcement staff received a few phone calls about backyard chickens. Most questions were residents asking if their neighbor had a permit for their backyard chickens. Only two of the municipalities staff surveyed last year had a limit on the number of backyard chicken permits.

### ACTION REQUESTED

Staff requests the ECDC review the proposed ordinance and make a recommendation vote to the Village Board. The item would go to the Village Board for final consideration at their December 1, 2022 meeting.

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD GENERAL REGULATIONS CODE  
TITLE 9, CHAPTER 90  
OF THE LOMBARD VILLAGE CODE**

WHEREAS, the Village of Lombard maintains a General Regulations Code which is found in Title 9, Chapter 90 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said General Regulations Code and make necessary changes; and,

WHEREAS, a public meeting to consider text amendments has been conducted by the Village of Lombard Economic and Community Development Committee (ECDC) on November 14, 2022, pursuant to appropriate and legal notice; and,

WHEREAS, the ECDC has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the ECDC and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That Title 9, Chapter 90, Section 90.04 of the General Regulations Code shall be amended to include the underlined and bolded additions, and deletions in ~~strikeout~~ as follows;

§ 90.04 - Keeping certain animals prohibited.

(A) Except as provided in § 90.06 of this Chapter, it shall be unlawful for any person to keep any dangerous or vicious animal, or animal listed in § 90.04(B), in any place other than a properly maintained zoological park, circus, scientific or educational institution, research laboratory or veterinary hospital, or as licensed to do so by the State or Federal government.

(B) Except as provided in § 90.07 of this Chapter, it shall be unlawful for any person to keep or allow to be kept within the Village any farm animals, including, but not limited to, sheep, cattle, goats, horses, ducks, geese, ~~chickens~~, roosters or other fowl, pigeons (except for carrier/racing pigeons) swine (including pot-bellied pigs), or similar animals. Except as provided in § 90.07 of this Chapter, it shall be unlawful for any person to keep or allow to be kept within the Village any naturally wild animals, including, but not limited to, boa constrictors, poisonous snakes or other poisonous reptiles, and any animals classified as endangered species or threatened species. Zoological parks, circuses, scientific or



educational institutions, research laboratories, veterinary hospitals, or individuals and entities licensed to do so by the State or Federal government are excepted from this provision.

(C) Chickens shall be permitted, with restrictions, pursuant to Section 155.227 of Village Code. The following restrictions shall also apply.

1. All areas where hens are kept shall be clean and well maintained with little to no accumulation of waste. In addition, all areas where hens are kept shall not produce or cause odors that are detectable on adjacent properties.
2. Chicken coops shall be maintained in a manner that provides adequate lighting and ventilation, and protects chickens from cold weather, precipitation, rodents, predators, and trespassers.
3. All feed shall be kept in a sealed metal container.
4. All electrical appurtenances shall be UL listed, clearly labeled, and plugged into a GFCI protected electric device.
5. A hen permit issued under this article may be revoked upon the commission of three (3) violations within a period of twelve (12) months. If the permit is revoked, the property shall not be eligible for a permit for one year after revocation. Any enclosure/structure shall be required to be removed within fifteen (15) days of revocation.
6. No slaughtering.
7. No other poultry, including but not limited to geese, ducks and turkeys shall be kept on the property.
8. A building permit shall be required for all permanent enclosures/structures associated with the keeping of hens.
9. A permit issued by the Village ~~with a one-time fee~~, per Section 150.141, shall be required prior to purchasing the hens. ~~A renewal permit shall be required each year thereafter, with no additional fee.~~
10. ~~A maximum of fifty (50) residential zoning lots will be licensed to have hens in the Village at one time.~~

**SECTION 2:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2022.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2022.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2022.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Ordinance No. \_\_\_\_\_

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Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk