

VILLAGE OF HECKER, ILLINOIS

ORDINANCE NO. 22- 08

AN ORDINANCE REVISING THE ANIMALS CHAPTER OF THE REVISED CODE OF
ORDINANCES OF THE VILLAGE OF HECKER, ILLINOIS

ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF HECKER, ILLINOIS
THIS 11 DAY OF October, 2022

Published in pamphlet form
by authority of the Village
Board of Trustees of the
Village of Hecker, Monroe
and St. Clair Counties,
Illinois, this 11 day of
October, 2022

ORDINANCE NO. 22- 08

AN ORDINANCE REVISING THE ANIMALS CHAPTER OF THE REVISED CODE OF ORDINANCES OF THE VILLAGE OF HECKER, ILLINOIS

BE IT ORDAINED by the President and Village Board of Trustees of the Village of Hecker, Monroe and St. Clair Counties, Illinois, as follows:

WHEREAS, the Village of Hecker, County of Monroe and St. Clair, State of Illinois (“Village”), is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the Revised Code of Ordinances of Hecker, Illinois, adopted August 9, 2022, provides at Section 3-1-10 certain prohibitions on the keeping of animals within the Village, as follows:

3-1-10 ANIMALS, ETC. IN VILLAGE.

(A) **Certain Prohibitions.** Except as otherwise provided in this Chapter no person shall keep within the Village any cattle, cows, horses, sheep, swine, goats, chickens, ducks, turkeys, geese, rabbits, or other livestock.

(B) **Exceptions.** This Section shall not apply in areas of the Village that are zoned agricultural in nature nor shall this Section apply to livestock brought into the Village for the purpose of being shipped out of the Village.

(C) **Powers of Police Chief.** The Police Chief shall have the power to issue an order prohibiting the keeping of any animal, fowl, or bird which is deemed to pose a health hazard to the general public.

WHEREAS, the corporate authorities have determined that it is in the best interest of, and is necessary for the protection and convenience of, the public of the Village to amend the aforesaid prohibitions on the keeping of animals within the Village, subject to certain restrictions and provisions.

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Hecker, Monroe and St. Clair Counties, Illinois, as follows:

SECTION 1: The existing Section 3-1-10 of the Revised Code of Ordinances is hereby replaced in its entirety by the following:

3-1-10 ANIMALS, ETC. IN VILLAGE.

(A) **Certain Prohibitions.** 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 chickens, ducks, quail, pheasant, pigeons and rabbits as herein provided), skunks, or poisonous reptiles within the limits of the Village.

- (1) It shall be unlawful to keep roosters within Village limits.
- (2) Allowable animals shall be deemed Hobby Animals.
- (3) The number of allowable fowl shall be no less than **two (2)**, and no more than **six (6)**.
- (4) The number of rabbits shall not exceed **ten (10)**.
- (5) Any structures housing Hobby Animals shall be termed an "accessory structure."
- (6) Applicants shall register with Village Hall obtaining annual permit and have proof of registration on-site. Registration fee of **Twenty-Five Dollars (\$25.00)** per year.
- (7) Care for Hobby Animals shall follow the provisions set forth in this Chapter.
 - (a) Hobby Animals shall be kept in such a way so as not to cause a nuisance.
 - (b) Hobby Animal runs, yards and coops shall be constructed and maintained to reasonably prevent the collection of standing water; and shall be cleaned of droppings, uneaten or discarded feed, feathers, and other waste with such frequency as is necessary to ensure the yard, coop and pen do not become nuisances.
 - (i) Coops, pens and yards shall be large enough to provide at least **four (4) square feet** per animal.
 - (ii) The coop must be built to provide ventilation, shade, protection from precipitation, protection from cold weather and to be secure from predators, wild birds and rodents.
 - (iii) Openings in windows and doors must be covered by wire mesh or screens to deter predators.
 - (iv) Access doors must be sized and placed for ease of cleaning.
 - (v) The enclosed run must be attached to the coop or must surround the coop. The sides of the run must be made of fencing or wire mesh that discourages predators.
 - (vi) The run must be enclosed on all sides, including the top or roof plane.
 - (vii) Odors from pens, manure or related substances shall not be detectable from property lines. Manure must be stored and disposed of. Manure may be composted. All manure not composted must be removed from property regularly.
 - (c) Licenses for coops must be obtained and shall meet the rules of this Chapter where applicable.
 - (i) 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.
- (ii) Coops over **one hundred twenty (120) square feet** will require a building permit.
 - (iii) A license shall not be granted unless the applicant has obtained all necessary building permits and can show proof that a pen, yard and coop that comply with this Section have been erected.
 - (iv) The chicken coop and run shall be located in the rear of the residential structure. The pen, coop and run are allowed in the rear yard, but not the side or front yards.
 - (v) The coop and run shall be located at least **five (5) feet** from the property line and at least **twenty-five (25) feet** from any dwelling.
 - (vi) Coop licenses shall not run with the land.
 - (vii) Licenses will only be granted to persons who reside on parcels with single-family dwellings. An applicant who lives in an apartment, multi-family units or condominium building is not eligible to receive a Hobby Animal license.
 - (viii) The Village may deny a license to any person who:
 - a. Owes money to the Village; or
 - b. has, in the last **five (5) years** prior to application for a license under this Section been convicted or plead guilty to any code violation of animals, nuisance, noise, property maintenance or zoning.
 - (ix) If the licensee is found to be in violation of this Section or of cruelty to animals, the license will be immediately and permanently revoked.
 - (x) Applications shall be submitted to the Village Clerk's office.
 - (xi) No person shall slaughter any Hobby Animal within Village limits in view of the public.
 - (xii) No Hobby Animal shall be permitted to run at large. All animals shall be kept in a designated coop or run. Hobby Animals may be allowed to exercise in a rear yard with a **six (6) foot** or higher fence with supervision.
 - (xiii) No lawfully owned cat or dog shall be deemed dangerous, vicious or otherwise punished for attacking or killing any Hobby Animal allowed to run astray whether by accident or design.
 - (xiv) Any resident currently owning a designated Hobby Animal shall have **ninety (90) days** from enactment

of this Section to comply with all the provisions set forth.

- (xv) If the licensee is found to be in violation of these standards, the license will be immediately and permanently revoked.
- (xvi) Pens, coops and runs not maintained according to this Section shall be deemed a public nuisance and the license will be immediately and permanently revoked.
- (xvii) Any person found to be in violation of this Section shall be fined not less than **One Hundred Dollars (\$100.00)**, nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each offense. Each day an owner is not compliant with this Section shall constitute a separate offense.

(B) **Exceptions.** This Section shall not apply in areas of the Village that are zoned agricultural in nature nor shall this Section apply to livestock brought into the Village for the purpose of being shipped out of the Village.

(C) **Revocation.** A violation of this Section 3-1-10 shall result in the immediate revocation of any permit to keep hobby animals and revocation of any license for any structure to house such animals. In the event of such revocation:

- (1) The former licensee shall, within 7 days of receipt of notice of such revocation, remove from the premises all previously permitted hobby animals and all previously licensed pens, coops, hutches and other structures intended to house such animals.
- (2) The former licensee shall be prohibited for a period of 5 years from the date of such revocation from applying for a permit to keep hobby animals and from applying for a license for a structure to house such animals.


SECTION 2: This Ordinance shall be in full force and effect immediately upon its passage.

SECTION 3: The Village Clerk shall certify to the adoption of this Ordinance, and cause the same to be published in pamphlet form; and this Ordinance shall take effect and be in force from and after its approval and publication, as required by law.

PASSED by the President and the Board of Trustees of the Village of Hecker, Monroe County, Illinois this 11 day of October, 2022, pursuant to the following vote:

	AYE	NAY	ABSENT
Aaron Eckart	<u>✓</u>	_____	_____
Arnie Eckart	<u>✓</u>	_____	_____
Rich Happel	<u>✓</u>	_____	_____
Jim Mueth	<u>✓</u>	_____	_____
Douglas Van Buren	_____	_____	<u>✓</u>
Gary Wittenauer	<u>✓</u>	_____	_____

BOARD OF TRUSTEES OF THE
VILLAGE OF HECKER, ILLINOIS

BY: 
Charles Kujawski, President

ATTEST:


Annette Schreder, Village Clerk



Adopted this 11 day of Oct, 2022.
Approved this 11 day of Oct, 2022.
Published this 11 day of Oct, 2022.