



## **ORDINANCE NO. LCO 8-2-72C**

**ORDINANCE PROHIBITING THE OWNERSHIP OR POSSESSION OF ANY SWINE, GOATS, HORSES, FOWL (EXCEPT CHICKENS), CATTLE OR OTHER FARM ANIMALS WITHIN THE CITY.**

**BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ORIENT, FRANKLIN COUNTY, ILLINOIS**

### **SECTION 1: Acts Declared to be Nuisances:**

That it is hereby declared to be a nuisance for any person or persons, firm or corporation within the territorial jurisdiction of the City of Orient, Franklin County, Illinois, to: -

1. Erect or use habitually any house or lot for the purpose of butchering or slaughtering cattle, calves, sheep or swine without permission granted from the City.
2. Deposit any dead animal, or to knowingly suffer or permit or allow any dead animal belonging to him or her to be or remain within the corporate limits of said City, so as to be or likely to become putrid, nauseous or offensive.
3. To keep any animal that is prohibited within the City limits and listed in Section 2.

### **SECTION 2: Type of Animal prohibited Within City Limits:**

It is prohibited from the ownership or possession of any SWINE, GOATS, HORSES, FOWL (Except chickens (see section 3)), CATTLE, OR other FARM Animals within the City.

### **SECTION 3: Chicken Requirements**

1. City of Orient will allow up to (6) chickens, NO ROOSTERS, on city residences as long as an application for license has been submitted and approved, the Coop and all other general requirements are met as outlined below.
  - a. Coop must be located in the rear of the yard of the residence, not in the front or side yards.
  - b. The Coop must be 15 feet from property lines and residential structures.
  - c. The Coop must be 25 feet from a neighboring residence.
  - d. The Coop must not exceed 40 square feet.
  - e. Coop height must not exceed 8 feet.
  - f. Outdoor run space must be enclosed by wooden or wire fencing.
  - g. Chickens are to remain in Coop and run space at all times.
  - h. Coops must allow for 4 square feet per chicken.
  - i. Outdoor run space must allow for 8 square feet per chicken.
2. Chickens must be secured in the coop between the hour of 9:00 P.M. and 6:00 A.M.
3. Chickens found running at-large will be captured by animal control or peace officers at the owner's expense.
4. Coops must be kept clean, dry, odor free and in a sanitary manner. All waste shall be properly stored and disposed of. Feed shall be stored in a manner resistant to rodents and other animals.

**LICENSING PROCEDURES:** Submit a completed Chicken Coop License Application along with a \$25.00 fee. Licenses will be valid for one year, and must be renewed annually by December 31st each year long with a \$10.00 renewal fee. Licenses not renewed by January 31, will be terminated. Licenses do not transfer with property sales or resident changes. If the applicant is not the property owner, the property owner must provide written approval.

**SECTION 4: NOTICE TO ABATE:**

When any nuisance, or anything likely to become a nuisance, shall be found by the City Police, Code Officer, or any member of the Council or any member of the board of health, or shall be reported to them, the person causing such nuisance or the owner or occupant of the premises on or adjacent to which it may be found, shall forthwith be notified by such officer to remove or abate nuisance.

The City shall serve notice, in writing, upon the owner, occupant, agent or person in possession or control of any lot, building or premises in or upon which any nuisance may be found, or who may be the owner or cause a violation hereof, requiring him to abate the same within three (3) days in such a manner as the City shall prescribe. The notification may be served by City of Orient Police, Code Officer, or any Council Member.

**SECTION 4: FAILURE TO COMPLY WITH NOTICE:**

If the person notified to abate the nuisance shall neglect or refuse to comply with the requirements of such notice by abating such nuisance within the time specified, such person shall be guilty of a misdemeanor.

**SECTION 5: PENALTY:**

Anyone who violates this Ordinance shall be fined not less than \$50,00 or more than \$500.00. And could be responsible from any legal fees that are incurred by the City.

**SECTION 6: ABATEMENT:**

Upon the expiration of the time specified in the notice the City shall abate the nuisance. The expense of such abatement shall be collected from the person who may have created such nuisance, in addition to any penalty, fine, or legal fees.

**SECTION 7: WHEN PREMISES ARE UNOCCUPIED OR OWNER UNKNOWN:**

When any nuisance, or anything likely to become a nuisance may be found upon or connected with any premises which are unoccupied, or the occupant is not liable for such nuisance, and the owner is unknown or cannot be found and the agent refuses or neglects to comply with the Notice to remove and abate the same, it shall be the duty of the City Police Officer or Board of Health to remove and abate the same.

**SECTION 8: OFFICERS MAY ENTER AND EXAMINE PREMISES:**

The City Police Officers and members of the Board of Health, or such other person as may be appointed for that purpose, may at all times during the daytime, enter all premises and examine all parts thereof, and cause all nuisances found thereon to be abated or removed. Any person who shall resist, hinder or molest such officer, after having stated the object in examining any premises, and while proceeding in an orderly manner to do so, shall be guilty of a misdemeanor.

**SECTION 9: LIEN:**

Charges for abatement shall be a lien on the premises and shall include all expenses incurred and the attorney's services.

**SECTION 10: FORECLOSURE OF LEIN:**

Property subject to the lien shall be sold on non-payment and the proceeds of such sale be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens.

**SECTION 11: EXEMPTIONS:**

This ordinance shall not apply to parcels of real estate of one acre or more which are not multiple platted lots.

**SECTION 12: NON-CONFIRMING USES:**

It is the intent of this Ordinance to provide for the elimination of certain non-conformities. It is also the intent to permit some non-conformities to continue until they are removed, but not encourage their survival. It is further the intent of this ordinance that non-conformities shall not be enlarged upon, expanded or extended.

When a non-conforming use is discontinued or abandoned for six consecutive months or for eighteen months during any three-year period, the premises shall not thereafter be used except in conformity with the regulations of this ordinance.

**SECTION 13: EFFECTIVENESS:**

This Ordinance shall be in full force and be effective from and after its passage, approval, recordation and publication as is provided by Law in these instances.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF ORIENT, ILLINOIS**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_**

**APPROVED:**

\_\_\_\_\_  
**MAYOR, CITY OF ORIENT**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**