

ORDINANCE 2015-O-27

AN ORDINANCE LIMITING THE NUMBER OF FARM ANIMALS THAT MAY BE KEPT ON PRIVATE PROPERTY

WHEREAS, Section 90.02 of the Winthrop Harbor Municipal Code has long permitted the keeping of traditional farm animals on lots of not less than 5 acres, and

WHEREAS, Section 90.02 does not now state a limit on the number of traditional farm animals that may be kept on property, leading to a potential for overcrowding of the animals and the creation of nuisances relating to their waste and the potential for unhealthy living conditions for the animals, and

WHEREAS, the Village Board finds and declares that limiting the number of farm animals that may be stabled on private property is in the public interest and are necessary to prevent the creation or maintenance of nuisances on private property to the detriment of neighbors or unhealthy conditions for animals, and

WHEREAS, the Village Board further finds that clarifying it's powers to grant variances in appropriate circumstances to allow animals on lots that would otherwise not permit them is in the public interest,

NOW THEREFORE, BE IT ORDAINED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: Section 90.02 of the Winthrop Harbor Municipal Code is hereby amended and shall hereafter read as follows (deletions ~~stricken~~, additions underlined):

§ 90.02 KEEPING LIVESTOCK AND/OR FOWL.

A. A minimum of five acres is required to keep any horse, cow, goat, pig, hog, sheep or other livestock, or any chickens, geese, ducks or other domestic fowl in the village. Said animals or fowl must be contained within a fenced-in area which meets with the approval of the Chief of Police and established fence ordinances. In this section the word "Horse" shall include not only horses, strictly called, but also ponies, colts, mares and fillies, mules and asses.

B. The maximum number of livestock that may be kept on property is set forth in the chart below:

<u>Animal</u>	<u>Maximum (5-10 acres)</u>	<u>Maximum (>10 acres)</u>
<u>horse</u>	<u>6</u>	<u>6 + 1 per acre for each acre over 10 acres</u>
<u>cow</u>	<u>2</u>	<u>2 + 1 per every 3 acres over 10 acres</u>

<u>pig or hog</u>	<u>3</u>	<u>3 + 1 per every 2 acres over 10 acres</u>
<u>sheep or goat</u>	<u>12</u>	<u>12 + 2 per acre for each acre over 10 acres</u>

C. Notwithstanding the generality of the foregoing, the keeping of a limited number of domestic hen chickens shall be permitted on smaller lots strictly pursuant to the regulations set forth in Section 90.21.

D. Variances to the foregoing regulations may be granted in the sole and final discretion of the Village Board upon a property owner's petition, and such notice, conditions or other requirements as the Village Board deems fit.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

YEAS: Braden, Hargett, Marabella, Robards, Weiss

NAYS: None

ABSENT: McCarthy

PASSED and APPROVED this 15th day of December, 2015.

ROBERT D. LOY, Mayor

ATTEST:

JANA J. LEE, Clerk

FIRST AND SECOND READING: WAIVED DECEMBER 15, 2015
ORDINANCE PASSED: DECEMBER 15, 2015