

ORDINANCE NO. 2020-16

AN ORDINANCE AMENDING ARTICLE V, SECTION 1, SUBSECTION .040
OF THE VILLAGE OF SOUTH WILMINGTON MUNICIPAL CODE REGARDING
ANIMALS PROHIBITED WITHIN THE VILLAGE OF SOUTH WILMINGTON,
GRUNDY COUNTY, ILLINOIS

WHEREAS, the Village of South Wilmington has considered a proposed amendment to Article V, Section 1, Subsection .040 regarding poultry or animal yard; and

WHEREAS, the amendments contained herein will not have a detrimental effect upon the health, safety and welfare of the inhabitants of the Village of South Wilmington, Illinois; and

WHEREAS, the Village Board of South Wilmington is authorized to enact and enforce all Ordinances necessary for the promotion of the Village inhabitants' health, safety, and welfare pursuant to 65 ILCS 5/11 *et seq.*

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SOUTH WILMINGTON, ILLINOIS AS FOLLOWS:

1. That the above recitals constitute the findings of the South Wilmington Village Council and hereby restated and incorporated into the body of this Ordinance as though fully set forth herein.
2. That Article V, Section 1, Subsection .040 is amended in its entirety and shall hereafter read as follows:

.040 Animals prohibited in village.

- (A) It shall be unlawful to keep any cattle, horses, ponies, swine, sheep, goats, or bees in the village.
- (B) For the purposes of this section, Fowl means chickens, ducks, geese or turkeys.
- (C) It shall be lawful to maintain Fowl within the Village subject to the following:
 - (1) It shall be unlawful to maintain any Fowl Yard; (1) within 75 feet of any building used as a residential property by anyone other than the one maintaining the Fowl Yard or his or her immediate family; or (2) within 75 feet of any public way other than an alley; or (3) within 100 feet of any church or school building.

- (2) Any and all Fowl shall be kept in a size appropriate enclosure at all times.
 - (3) It shall be unlawful to allow any Fowl free range within the Village limits.
 - (4) It shall be unlawful to maintain more than twelve Fowl within the Village limits at any time.
 - (5) It shall be unlawful to maintain any male chickens, or Roosters, within the Village limits at any time.
- (D) For the purposes of this section, FOWL YARD is defined as every enclosure, shed, or structure used to house one or more live Fowl.
- (E) (1) Every Fowl Yard shall be adequately maintained so as to be impenetrable by rats or other rodents.
- (2) The presence of any rats or other rodents in any Fowl Yard shall be prima facie evidence that the Fowl Yard is not maintained to the standards of the provisions of this section.
3. This Ordinance shall be effective from and following passage and approval as required by law.
4. Any Ordinances or Resolutions inconsistent with the terms and provisions hereof are hereby repealed and revoked to the extent of any such inconsistencies.

PASSED AND APPROVED this 9th day of September, 2020.

Ayes 4
 Nays 0
 Abstain
 Absent 2


 RICK ALDERSON, Village President

(SEAL)

ATTEST:


 TERRY SCHULTZ, Village Clerk