

## MEMORANDUM

TO: VILLAGE OF LONG GROVE PRESIDENT AND TRUSTEES

- Maria Rodriguez
- Eduardo Acuna
- Joseph Barry
- John Marshall
- Karen Schmitt
- Charlie Wachs
- Joanne Weber

RECEIVED

MAY 20 2011

VILLAGE OF LONG GROVE

FROM: JOHN EMRICH

DATE: MAY 18, 2011

IN RE: Clarifying or amending Village code for backyard chickens

I would like to work with the Village Board to either clarify, or amend, the Village Code as it pertains to the keeping of hens (female chickens) as pets in the Village of Long Grove. I believe the existing code below is mistakenly being used to prevent the keeping of chickens in Long Grove as pets because the code appears to me to exist to regulate *business* practices (see terms in **bold** below, my emphasis):

### 5-9-10: EXPANDED AGRICULTURAL USES:

(A) Purpose: The purpose of this section is to **regulate business uses**, **business** developments, and **business activities** under the definition of expanded agricultural use contained in section 5-12-13 of this title. These regulations shall apply within any zoning district which permits agricultural uses.

### 5-12-13 Definition

EXPANDED AGRICULTURAL USES: The raising of livestock and poultry, research and experimental farms and all activities incidental thereto, greenhouses, nurseries, apiaries, dog kennels, and the **on the premises selling of the products raised thereon**.

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If you disagree with my assessment, and still believe the keeping of chickens as pets is governed by the above business codes (and not solely by the existing general nuisance laws), then I would ask for an audience with you to work through an amendment.

## **Background**

As you may know, the keeping of hens as pets is a rapidly growing trend across the country, including most recently the city of Evanston. It is an activity legally protected in many other towns, cities and villages across the Greater Chicago area:

Chicago, Decatur, Downers Grove, Galesburg, Jacksonville, Lombard, Loves Park, Mount Prospect, Naperville, Normal, Oak Park, Pana, Plainfield, Saint Charles, Springfield, Westmont, and Worth (and Madison, Wisconsin).

Why would people want to keep hens? Hens are known by experienced chicken owners as “pets...with benefits.” They are great pets because they are peaceful, friendly, curious, beautiful and interesting. They make less noise, waste and smell than dogs (which are universally larger in size and allowed to roam much more freely). Chickens have benefits because they naturally (without human intervention or the need for a rooster) produce a fantastic by-product, eggs for human consumption. Anyone that has tasted eggs from a grass-grazed hen will tell you, the taste is unlike anything available in the highest-end grocery stores (and much cheaper!). Moreover, recent studies have confirmed that the nutritional content of eggs from grass-grazed hens is also superior to that of store-bought eggs. Lastly, the “waste” product from hens, unlike that from dogs or cats, is considered a precious resource by organic gardeners because of its high nitrogen content.

## **Code Options**

If the code, in your opinion, would require amendment, I have included examples from existing codes across the Greater Chicago area that address the major areas that might be of concern to Village residents.

The number of chickens:

- Maximum number of chickens: 2 hens per quarter acre up to 8, and no roosters (hens are a social animal, and it would be inhumane to keep only one. Roosters make more noise than hens, and don't produce eggs.)

Chicken housing (the coop):

- The focus is on maintaining a clean, humane coop, not being a noise nuisance, and not keeping chickens for slaughter.
- Must be of a "humane" and adequate size for the animals, also, must be clean and sanitary.
- All coops, hutches, doghouses, kennels, pens, enclosures, or area which any animal or fowl is kept **MUST** be maintained in a sanitary manner

without the accumulation of dirt, offal, or urine, and in such a manner as to prevent any disagreeable odor.

- No pen, coop, building, or other enclosure used for the purpose of housing fowl shall be erected or maintained within fifty feet of any property line of a neighbor's property.
- There must be 4 square feet of coop and run per hen, and hens must be able to easily get from coop to run, and be protected from weather and cold. Notice must be given to all neighbors prior to getting the hens. Chickens cannot be slaughtered within city limits.
- All feed for fowl or livestock shall be kept in containers that are rodent-proof until put out for consumption of fowl or livestock, or be kept inside.

"Intent" is important, in Chicago and Long Grove:

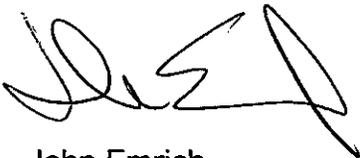
- No person shall own, keep or otherwise possess, or slaughter any sheep, goat, pig, cow or the young of such species, poultry, rabbit, dog, cat, or any other animal.

Long Grove code:

- General nuisance laws and building codes apply.

I thank you for your time and consideration in this matter. Hens are kept in public schools all over the country for educational purposes, so though there are a lot of myths in circulation about health risks involving poultry, the willingness of public schools to keep chickens indoors should give you confidence that I or any other knowledgeable individual can quickly dispel with research-based facts any of those concerns. Lastly, the keeping of chickens as pets is not only consistent with Long Grove's history as a rural farming community, but it would be incongruous to allow a horse on only two acres of property and not a handful of hens on an acre.

I look forward to working with you on this important matter of personal liberty.



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