

**VILLAGE OF HOMER  
CHAMPAIGN COUNTY, ILLINOIS**

**ORDINANCE NO. 090913**

**ORDINANCE AMENDING HOMER VILLAGE MUNICIPAL CODE  
SECTION 4.4.2 REGARDING PROHIBITED ANIMALS TO PERMIT SOME  
DOMESTIC CHICKEN HENS WITHIN THE VILLAGE OF HOMER**

**Passed by the Board of Trustees and  
Approved by the President  
of  
Village of Homer, Illinois  
on September 9, 2013**

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**Published in pamphlet form by authority of the President and Board of  
Trustees of the Village of Homer, Champaign County, Illinois, this 10<sup>th</sup> day of  
September, 2013.**

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**WHEREAS**, the Village of Homer is a duly established and functioning non-home rule municipality in Champaign County, Illinois; and

**WHEREAS**, Village ordinances, including Section 4.4.2 Large Animal Control of the Village of Homer Municipal Code, presently prohibit the keeping of domestic farm animals, including chickens, within the Village limits; and

**WHEREAS**, citizens have suggested to the President and Board of Trustees that chickens for the production of eggs and poultry should be permitted within the Village on certain limited conditions and that this would generally promote the public good and welfare and not adversely affect the public health; and

**WHEREAS**, the President and Board of Trustees have duly considered this issue and these resident requests and have determined that the Village permit the keeping of chickens as provided herein by residents in the Village for the purpose of the production of eggs and/or poultry for human consumption; and

**WHEREAS**, provisions should be made for the elimination or reduction of noise and, sanitation and public health problems resulting from the maintenance of such chickens as provided herein; and

**WHEREAS**, the President and Board of Trustees are adopting this ordinance with the understanding and expectation that the consequences of the maintenance of chickens as provided in this ordinance may be evaluated from time to time and amendments to or repeal of this ordinance may be made as the President and Board of Trustees determined to be in the public interest; and

**WHEREAS**, no persons shall acquire any vested right or property right to continued right to keep and maintain chickens within the Village pursuant to this ordinance, as this ordinance may be hereafter amended or repealed, and any person determining to maintain chickens pursuant to this ordinance and investing funds for such purpose should understand that said ordinance may subsequently amended or repealed, thereby eliminate or modifying their use of such chicken facilities.

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

**Section 1.** Section 4.4.2-1 Section 1. Animals Prohibited From Village, of the Village of Homer, Illinois, Municipal Code, adopted on May 15, 1989, as amended, is hereby amended to read in its entirety as follows:

Section 1. Animals Prohibited From Village.

- (1) Animals Prohibited. No person shall keep any cattle, horses, mules, goats, sheep, swine, barn fowl, pea fowl, mink, or animal yards, pens, or premises in which animals are confined or kept in any residential area of the Village, except as permitted in the following Section 1.(2).
- (2) Eighteen Chickens Allowed. An owner or occupant of a single family residence, commercial lot or industrial lot can keep house or maintain on said property, not more than eighteen (18) chickens (no roosters are permitted), as provided in this ordinance for the purpose of producing eggs or poultry for human consumption, on the following conditions.
  - (a) Roosters prohibited. No roosters are permitted to be maintained, kept or housed within the Village.
  - (b) Chicken coops or pens.

Any chickens kept in the Village must be housed in an adequate and sanitary pens or coops designed or constructed for that purpose, which provide humane, sanitary, and inoffensive quarters for such chickens.

- (c) Fencing requirements. Any person maintaining chickens within the Village shall keep them

adequately fenced so they may not leave their chicken quarters and enter upon the public streets, sidewalks or other public places, nor enter upon the property of other persons.

- (d) Sanitation requirements. Any person maintaining chickens within the Village pursuant to this ordinance shall keep said chickens in a sanitary, healthy environment without noise, smell or other negative conditions affecting the public health or neighboring properties.
  
- (e) Order of Removal of Chickens. Any person maintaining chickens in violations of the provisions of this ordinance may be ordered by the Village Chief of Police or other lawful authority to cease and desist the maintenance of said chickens in violation of this ordinance and may be ordered to remove said chickens from the Village.

Section 2. Violations. Any person violating any provisions of this ordinance shall be fined not less than \$150.00 and not more of \$750.00 and each day that a violation continues shall be deemed a separate offense.

Section 3. Severability. If any provision of this ordinance is judicially to the invalid or unenforceable, that determination shall not affect the other provisions of this ordinance.

Section 4. Effective Date. This ordinance shall be effective upon its passage and approval and publication in pamphlet form.

PRESENTED, PASSED APPROVED, AND ADOPTED by the President and Trustees of the Village of Homer, Illinois, at a duly conducted meeting thereof this 9<sup>th</sup> day of September, 2013.

APPROVED:

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Raymond K. Cunningham, Jr.  
President of the Board of Trustees

ATTEST:

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Sharon Jeffers  
Village Clerk

VOTING ON SAID ORDINANCE NO. \_\_\_\_\_13

Trustee

Aye

Nay

Charles Montgomery , Trustee \_\_\_\_\_

Guy James, Trustee \_\_\_\_\_

Kevin Knott, Trustee \_\_\_\_\_

Mike Johnson, Trustee \_\_\_\_\_

Roy Woodmansee, Trustee \_\_\_\_\_

Susan Forsyth, Trustee \_\_\_\_\_

Raymond K. Cunningham, Jr., President \_\_\_\_\_

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

## CERTIFICATE

I, Sharon Jeffers, certify that I am the duly appointed and acting municipal clerk of the Village of Homer, Champaign County Illinois.

I further certify that on September 9, 2013, the Corporate Authorities of such municipality passed and approved Ordinance No. 090913 entitled:

**ORDINANCE AMENDING HOMER VILLAGE MUNICIPAL CODE  
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I further certify that the attached copy of said ordinance is a true and correct copy of said ordinances, as appears from the records of the Village of Homer, Illinois.

The pamphlet form of Ordinance No. 090913, including the Ordinance and a cover sheet thereof was prepared, a copy of such ordinance was posted in the municipal building, commencing on September 10, 2013, and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Homer, Illinois, this 20<sup>th</sup> day of September, 2013.

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Sharon Jeffers  
Village Clerk  
Village of Homer, Illinois