

CITY OF BATAVIA  
CHICKEN AND COOP REQUIREMENTS



City of Batavia  
Building Division  
Community Development Department  
100 North Island Avenue  
Batavia, Illinois 60510  
Tel: (630)454-2700  
Fax: (630) 454-2775  
<http://www.cityofbatavia.net>

*Please direct all questions to the City of Batavia Building Division of the Community Development Department, Monday through Friday from 8 AM to 5 PM at (630) 454-2700.*

*This is a summary of the City of Batavia Ordinances allowing chickens and chicken coops. This is intended to interpret and explain the ordinances but does not represent or replace the actual ordinance language. Every effort has been made to ensure the accuracy and timeliness of this information.*

*12/04/15*

### Requirements for the keeping of hens and coops

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- A maximum of eight (8) domestic hens shall be kept on a property that is zoned and occupied for single family residential use, or zoned PFI Public Facilities and Institutional and occupied by Schools, Public and Private only.
- The keeping of roosters and the slaughter of any chickens is prohibited.
- Hens shall be provided with a covered inside enclosure and adjacent covered outside fenced area. The outside area shall not be less than 32 square feet in area.
- For all properties, enclosures and the adjacent occupied fence area shall be setback a minimum of thirty (30) from any adjacent occupied residential structure, other than that of the owner; but not less than the minimum property line setback required for accessory structures in the Zoning District. Additionally for PFI zoned properties, the enclosures and adjacent occupied fenced area shall be set back a minimum of one hundred and fifty feet (150') from all streets and located not between the principal structures and adjacent streets
- All enclosures shall be constructed and maintained in manner to be free of rodent infestation.
- A building permit is required for all enclosures. The permit fee is the same as a shed permit.

## Requirements for the keeping of hens and coops (Continued)

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- Electric service to enclosures shall not be provided by an extension cord or cords.
- Hens shall be kept in the enclosure and fenced area at all times.
- All chickens and enclosures shall be kept in the rear yard.
- All areas where hens are kept shall be maintained neat and clean and free of undue accumulation of waste such as to cause odors detectable on adjacent property.
- No person shall allow chickens to produce noise loud enough to disturb the peace of persons of reasonable sensitivity and shall not allow the nuisance to exist.

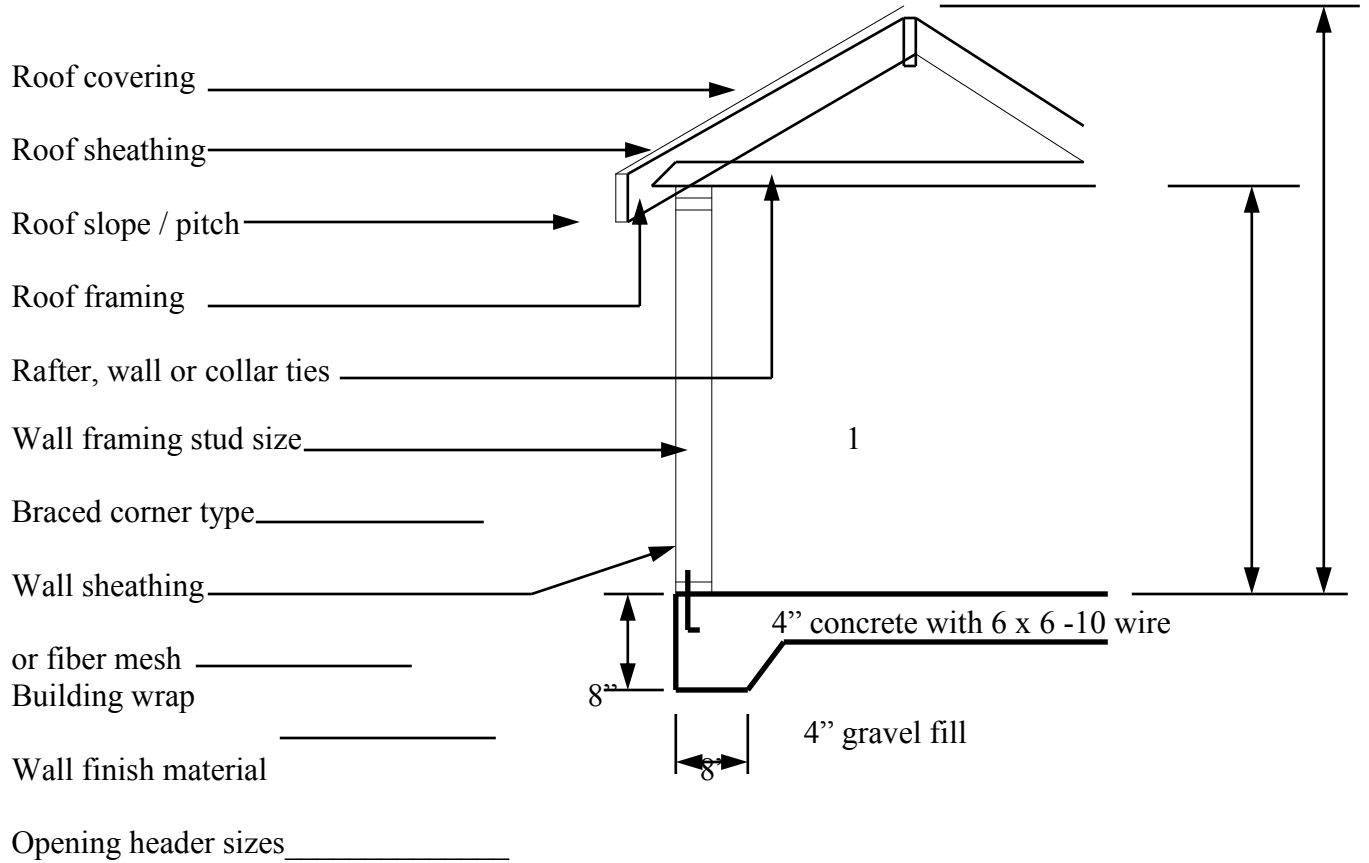
## Application Procedure

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1. Submit a completed Building Permit Application to the Building Division of the Community Development Department.
  2. Pay required minimum submittal fee.
  3. Attach two (2) copies of drawings to the application showing the construction details, see attached sample.
    1. Attach two (2) copies of the plat of survey showing the location of the coop and outside fenced area, setbacks to property lines, setbacks to any adjacent occupied residential structures, and all utilities (electric, gas, phone, sewer, water, etc.) *(sample attached)*  
**Survey shall be to scale, not reduced or enlarged when copied.**
  5. Call J.U.L.I.E (Joint Underground Location for Inspectors and Engineers) at least 48 hours prior to any digging to locate any underground utilities. (Dial 811 or 800-892-0123)
  6. Complete the Keeping of Chickens registration form.
  7. If property is not owner occupied, Property owner's signature will be required on the building application and chicken and coop registration form.
  8. Schedule the required inspections with the City of Batavia Building Division at least 48 hours in advance to insure that we can meet your schedule.
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## Wall & Roof Section

INDICATE DIMENSIONS AND MATERIALS



- Indicate the location with dimensions of the coop and the run area on the property.
- Show the location and distance of all occupied residential structures that surround the property applying for permit.



**City of Batavia**  
 Community Development Department  
 100 North Island Avenue  
 Batavia IL 60510  
 Phone (630) 454-2000  
 Fax (630) 454-2775

# CHICKEN REGISTRATION APPLICATION

Registration number: \_\_\_ - \_\_\_ - \_\_\_

Building Address: \_\_\_\_\_  
 Building Owner: \_\_\_\_\_  
 Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Responsible Party of Chickens: \_\_\_\_\_  
 Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Property Owner Occupied: Yes \_\_\_ No \_\_\_ If no, Owner Address: \_\_\_\_\_

## PLEASE READ THE FOLLOWING CONDITIONS REGARDING THE KEEPING OF CHICKENS

All persons keeping chickens in the City of Batavia shall keep no more than 8 hens.  
 Roosters shall not be kept anywhere on premise.  
 Slaughter of any chickens shall not be allowed except for humane reasons only.  
 Hens shall be provided with a covered inside enclosure and an adjacent covered outside fence area not less than 32 square feet.  
 All hens will be kept in the enclosures and fenced areas at all times.  
 All hens are kept in the rear yard.  
 All enclosure (s) will remain 30 feet from any adjacent residential structure, other than the owner, but not less than the minimum property line setback required for accessory structures in the Zoning District.  
 PFI zoned properties shall keep enclosures and fenced areas 150 feet from all streets and not between the principal structure and adjacent streets.  
 Electric service to enclosure will not be provided by electrical cord or cords.  
 All enclosures and areas will be kept clean, sanitary and rodent free at all times.  
 All feed shall be contained in containers with tightly fitted lids.  
 Owner will ensure that the hens do not produce unreasonable noise.  
 Owner agrees to allow Building Division staff personnel to access the rear yard of the residence for the purpose of verifying compliance with the above and Title 5, Chapter 4, and 5-4B7 of the Municipal Code.

*If it has been found that violation exists and correction has not been made within the timeframe given by the Code Compliance Officer, fines in the amount of \$100.00 a day, every day the violation exists will be implemented as well as an appearance in front of the Adjudication Hearing Officer. If there have been three documented violations within any twelve month period, there will be a loss of permission to keep chickens on the property. Keeping chickens after permission has been revoked will result in a \$750.00 fine a day every day the violation exists and an appearance in front of the Adjudication Hearing Officer.*

**By signing this document, I understand and agree to the conditions set forth.**

Responsible Party: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Approved: \_\_\_\_\_ Yes \_\_\_ No \_\_\_ Date: \_\_\_\_\_ Inspector: \_\_\_\_\_

License # \_\_\_\_\_

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 11-04  
AMENDING TITLE 5 OF THE MUNICIPAL CODE  
RELATING TO ALLOWING CHICKENS ON CERTAIN  
RESIDENTIAL PROPERTIES IN THE  
CITY OF BATAVIA**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 16<sup>TH</sup> DAY OF MAY, 2011**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 17<sup>th</sup> day of May, 2011

Prepared by:  
  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS**  
**ORDINANCE 11-04**  
**AMENDING TITLE 5 OF THE MUNICIPAL CODE**  
**RELATING TO ALLOWING CHICKENS ON CERTAIN**  
**RESIDENTIAL PROPERTIES IN THE**  
**CITY OF BATAVIA**

**WHEREAS**, the City of Batavia's Municipal Code has for many years prohibited the keeping of chickens on residential property in the City limits; and

**WHEREAS**, the City Council has been requested by several residents to change the City Code to permit the keeping of chickens on residential property in the city limits; and

**WHEREAS**, there has been significant public input presented to the City demonstrating that there is substantial community benefit from permitting residents to keep a limited number of chickens for personal use in the residential areas of the City; and

**WHEREAS**, those communities who permit a limited number of chickens to be kept in residential areas have experienced few problems resulting from that action; and

**WHEREAS**, there are demonstrated health benefits from allowing residents to raise chickens; and

**WHEREAS**, many communities in the region have adopted ordinances permitting residents to keep up to eight hens for personal uses; and

**WHEREAS**, the City Services Committee has studied the issue and held several public meetings where residents were afforded an opportunity to express their opinions about a potential change to the City Code to permit chickens on residential property; and

**WHEREAS**, the County Health Department has noted its approval for the adoption of an ordinance allowing up to eight hens on a residential property; and

**WHEREAS**, the City Services Committee has voted to recommend approval of Ordinance 11-04 to the City Council; and

**WHEREAS**, the City Council has reviewed the recommendation of the City Services Committee for changes to Municipal Code Title 5; and

**WHEREAS**, it is in the best interests of the City of Batavia and its residents that the proposed ordinance be adopted by the City Council of the City of Batavia.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

**SECTION 1:** That Title 5 of the Municipal Code be revised as follows:

Chapter 4 ANIMAL CONTROL, Article 4B ANIMALS

5-4B-1: KEEPING OF ANIMALS RESTRICTED

The words “other than eight (8) domestic hens” shall be inserted following the words “fowl and poultry” in sentence one. The last sentence, beginning with the words “In regard to fowl/poultry...”, shall be deleted.

Add new Section 5-4B-7: STANDARDS FOR KEEPING OF CHICKENS

- A. Up to eight domestic hens may be kept on properties zoned and occupied for single family residential use only.
- B. Roosters are prohibited in the city limits.
- C. No person shall slaughter any chickens in the city limits, except for humane reasons.
- D. Hens shall be provided with a covered inside enclosure and an adjacent covered outside fenced area. The outside fenced area shall be no less than 32 square feet in area.
- E. The enclosures and adjacent fenced area shall be set back:
  - 1. thirty feet from any adjacent occupied residential structure, other than that of the owner; but
  - 2. not less than the minimum property line setback required for accessory structures in the Zoning district.
- F. All enclosures shall be constructed and maintained in such a manner as to be free of rodent infestation.
- G. A building permit shall be required for all enclosures. The permit fee shall be the same as for a shed.
- H. Electric service to enclosures shall not be provided by an extension cord or cords.

- I. Hens shall be kept in the enclosure and fenced area at all times.
- J. All feed and other items that are associated with the keeping of chickens that are likely to attract or to become infested with rats, mice or other rodents shall be protected in a container with a tightly fitted lid so as to prevent rodents from gaining access to or coming into contact with them.
- K. All chickens shall be kept in the rear yard.
- L. All areas where hens are kept shall be maintained in a neat and clean manner, free of undue accumulation of waste such as to cause odors detectable on adjacent properties.
- M. No person shall allow chickens to produce noise loud enough to disturb the peace of persons of reasonable sensitivity, and it is hereby declared a nuisance and shall be unlawful for any person to allow such nuisance to exist.

Add new Section 5-4B-8. REGISTRATION AND PENALTIES

- A. All persons keeping chickens in the City shall register with the Code Compliance officer prior to acquiring the chickens. Registration shall be on a form established by the Community Development Department. Registration forms will not be accepted until the enclosure has passed a final inspection by the Building Division. Persons having chickens as of the effective date of this Ordinance shall have 30 days to bring their property into compliance with this Ordinance.
- B. The registration form shall include written permission for any Building Division staff member to access the rear yard of the residence for the purpose of verifying compliance with this Code on a periodic basis. The form shall also acknowledge receipt of a copy of the standards set forth in Section 5-4B-7 above by person registering.
- C. There shall be no fee charged for registration.
- D. Failure to notify the Code Compliance Officer in accordance with "A" above or failure to allow an inspection in accordance with "B" above shall constitute a violation of the City Code and shall be punishable by a fine of no more than \$100 plus hearing costs, the amount to be established by the Code Hearing Officer.
- E. Violation of any standard in Section 5-4B-7 above shall be punishable by a fine not to exceed \$100 plus court costs, such fine to be established by the Code Hearing Officer. Each day a violation continues shall be considered a separate offense.



- F. Three violations of this Ordinance on a property within any twelve month period shall result in loss of permission to keep chickens on the property. Keeping of chickens after permission has been revoked shall be punishable by a fine not to exceed \$750 plus court costs, such fine to be established by the Code Hearing Officer. Each day a violation continues shall be considered a separate offense.

Add new section 5-4B-9. CONFLICT WITH PRIVATE COVENANTS

Nothing in this Chapter shall be construed to permit the keeping of chickens when such activity is prohibited by private covenants, conditions or restrictions governing the use of property, or by rules, regulations or orders issued by the Illinois Department of Public Health or the Kane County Health Department.

**SECTION 2:** That this Ordinance 11-04 shall be in full force and effect upon its presentation, passage and publication according to the law.

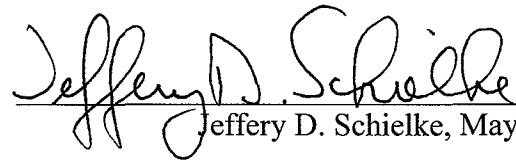
CITY OF BATAVIA, ILLINOIS ORDINANCE 11-04

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**PRESENTED** to the City Council of the City of Batavia, Illinois, this 16<sup>th</sup> day of May, 2011.

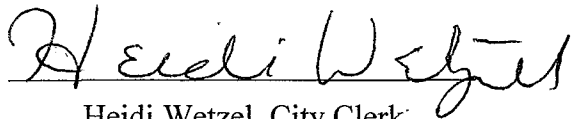
**PASSED** by the City Council of the City of Batavia, Illinois, this 16<sup>th</sup> day of May, 2011.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 16<sup>th</sup> day of May, 2011

  
 Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien		x			Sparks	x			
2	Dietz	x				Wolff	x			
3	Jungels		x			Chanzit	x			
4	Volk	x				Stark	x			
5	Frydendall	x				Thelin Atac	x			
6	Liva	x				Clark		x		
7	Tenuta		x			Brown		x		
Mayor Schielke										
<b>VOTE:</b>		9 Ayes	5 Nays	0 Absent	Abstention(s)					
<b>Total holding office:</b>		Mayor and 14 aldermen								

ATTEST:

  
 Heidi Wetzel, City Clerk

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 15-45**

**AMENDING TITLE 5 OF THE MUNICIPAL CODE  
RELATING TO ALLOWING CHICKENS ON CERTAIN  
RESIDENTIAL PROPERTIES IN THE  
CITY OF BATAVIA**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 2<sup>ND</sup> DAY OF NOVEMBER, 2015**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 3<sup>rd</sup> day of November, 2015

Prepared by:  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 15-45**

**AMENDING TITLE 5 OF THE MUNICIPAL CODE  
RELATING TO ALLOWING CHICKENS ON CERTAIN  
RESIDENTIAL PROPERTIES IN THE  
CITY OF BATAVIA**

**WHEREAS**, the City of Batavia's Municipal Code had for many years prohibited the keeping of chickens in the City limits; and

**WHEREAS**, in 2011, the City Council, in response to citizen request, adopted Ordinance 11-04 that amended the Municipal Code to permit the keeping of chickens on certain residential property; and

**WHEREAS**, few negative effects have been experienced with keeping of chickens on residential property; and

**WHEREAS**, the City received a request to permit keeping of chickens on a private school property; and

**WHEREAS**, the City recognizes the educational and developmental opportunities that caring for chickens provides to students; and

**WHEREAS**, the City Council has found that applying similar rights and restrictions for keeping of chickens on residential properties is appropriate to extend to school properties; and

**WHEREAS**, the City Council's Committee of the Whole has voted to recommend approval of Ordinance 15-45 to the City Council; and

**WHEREAS**, the City Council has reviewed the recommendation of the Committee for changes to Municipal Code Title 5; and

**WHEREAS**, it is in the best interests of the City of Batavia and its residents that the proposed ordinance be adopted by the City Council of the City of Batavia.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

CITY OF BATAVIA ORDINANCE 15-45

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**SECTION 1:** That the following Sections of Municipal Code Section 5-4B-7: STANDARDS FOR KEEPING OF CHICKENS be amended to read as follows:

5-4B-7-A. Up to eight (8) domestic hens may be kept only on properties zoned and occupied for single-family residential use or zoned PFI Public Facilities and Institutional and occupied by Schools, Public and Private, as defined in Title 10 herein, only.

5-4B-7-E. The enclosures and adjacent fenced area shall be set back:

1. A minimum of one hundred and fifty feet (150') from all streets and located not between the principal structures and adjacent streets on properties zoned PFI;
2. Thirty feet (30') from any occupied residential structure on an adjacent property, other than that of the owner; but
3. Not less than the minimum property line setback required for accessory structures in the zoning district.

5-4B-7-K. All chickens shall be kept in the rear yard on residential properties.

**SECTION 2:** That the following Subsection of Municipal Code Section 5-4B-8: REGISTRATION AND PENALTIES FOR CHICKENS be amended to read as follows:

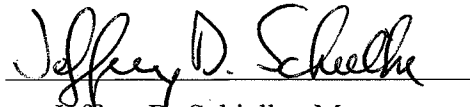
5-4B-8-B. The registration form shall include written permission for any building division staff member to access the rear yard of the residence or to access the school property for the purpose of verifying compliance with this code on a periodic basis. The form shall also acknowledge receipt of a copy of the standards set forth in section 5-4B-7 of this article by person registering.

**SECTION 3:** That this Ordinance 15-45 shall be in full force and effect upon its presentation, passage and publication according to the law.

CITY OF BATAVIA ORDINANCE 15-45

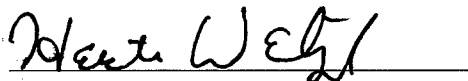
**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 2<sup>nd</sup> day of November, 2015.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, 2<sup>nd</sup> day of November, 2015.

  
 Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien	x				Fischer	x			
2	Callahan	x				Wolff	x			
3	Hohmann	x				Chanzit	x			
4	Mueller	x				Starks	x			
5	Botterman	x				Theelin Atac	x			
6	Cerone	x				Russotto		x		
7	McFadden	x				Brown	x			
Mayor Schielke										
VOTE:		13 Ayes	0 Nays	1 Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

  
 Heidi Wetzel, City Clerk