



VILLAGE OF LINCOLNSHIRE

AGENDA COMMITTEE OF THE WHOLE Village Hall – Board Room Monday, January 27, 2020 Following Regular Village Board

Reasonable accommodations / auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847-883-8600) 48 hours in advance if you need special accommodations to attend. The Committee of the Whole will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so. Citizens wishing to address the Board on agenda items may speak when the agenda item is open, prior to Board discussion.

CALL TO ORDER

1.0 ROLL CALL

2.0 ITEMS OF GENERAL BUSINESS

2.1 Planning, Zoning and Land Use

2.11 Preliminary Evaluation of Text Amendments to Title 4 (Health & Sanitation), Chapter 1 (Nuisances); Title 6 (Zoning), Chapter 3 (General Zoning Regulations); Title 6 (Zoning), Chapter 6-6B (B2 General Business); Title 11 (Misdemeanors), Chapter 13 (Animals); and Title 13 (Tree Preservation & Landscaping), Chapter 2 (Landscaping) of the Lincolnshire Village Code (Village of Lincolnshire)

2.2 Finance and Administration

2.21 Consideration of Proposed Amendment to the Village of Lincolnshire Personnel Policies pertaining to Sexual Harassment (Village of Lincolnshire)

2.3 Public Works

2.4 Public Safety

2.5 Parks and Recreation

2.51 Consideration and Discussion of a Request by Lincolnshire Sports Association (LSA) to Use North Park for Sponsorship by Audi Exchange of Highland Park, IL for 2020 Summer Slam Baseball Tournament (Lincolnshire Sports Association)

2.6 Judiciary and Personnel

3.0 UNFINISHED BUSINESS

4.0 NEW BUSINESS

5.0 EXECUTIVE SESSION

6.0 ADJOURNMENT



ITEM SUMMARY

Reviewing Body:	Committee of the Whole
Meeting Date:	January 27, 2020
Subject:	Urban Agriculture, Native Landscaping, and Artificial Turf
Petitioner:	Village of Lincolnshire
Action Requested:	Preliminary Evaluation of Text Amendments to Title 4 (Health & Sanitation), Chapter 1 (Nuisances); Title 6 (Zoning), Chapter 3 (General Zoning Regulations); Title 6 (Zoning), Chapter 6-6B (B2 General Business); Title 11 (Misdemeanors), Chapter 13 (Animals); and Title 13 (Tree Preservation & Landscaping), Chapter 2 (Landscaping) of the Lincolnshire Village Code
Prepared By:	Ben Gilbertson – Assistant Village Manager/Community & Economic Development Director Jack Cascone – Administrative Intern
Staff Recommendation:	Feedback and direction to staff. Possible referral to the Zoning Board for a public hearing.
Tentative Meeting Schedule (if referred):	Zoning Board – March 10, 2020 Committee of the Whole – March 23, 2020 Regular Village Board – April 13, 2020
Reports and Documents Attached:	<ol style="list-style-type: none">1) Village of Lake Bluff – Backyard Animal Pilot Application2) Village of Lake Bluff – Resolution Authorizing a Backyard Chicken Pilot Program – January 8, 20183) Village of Lake Bluff – Resolution Authorizing a Backyard Bee Pilot Program – January 8, 20184) Lake County – Keeping Chickens Brochure5) Lake County – Beekeeping and Apiaries Brochure6) National Public Radio – “Honeybees Help Farmers, But They Don’t Help The Environment” – January 27, 20187) Northwest Municipal Conference – Temporary/Seasonal Recreational Structures Survey – October 20098) City of DeKalb – Ordinance Allowing Planned Natural Landscaping While Prohibiting Uncontrolled Growth of Vegetation – August 27, 2018

Background

- Historically, the Village of Lincolnshire has explicitly regulated urban agriculture via zoning requirements. With respect to raising chickens and beekeeping, Title 6 (Zoning) of the village code does not provide for the keeping of bees and chickens in zoning districts as either permitted or special uses, other than the F1 Farming District which allows “poultry farms” as a permitted use. However, no properties in Lincolnshire are currently zoned with this distinction. On a handful of occasions each year, staff receive inquiries from current and prospective residents interested in keeping chickens and/or bees. Staff consistently communicate that these practices are prohibited.



- Nonetheless, both urban agriculture and native landscaping have occurred informally in different areas of the village. The Lincolnshire Marriott Resort boasts over 600,000 honey bees on its property, with honey sold in the hotel gift shop and used in various food items in Marriott's restaurants. Additionally, in October 2019, village staff learned of a local homeowner keeping four chickens in her backyard and receive inquiries about the permissibility of chicken and beekeeping from a handful of people each year. Furthermore, several homeowners throughout the village have cultivated native landscaping on their properties. Staff also recently fielded a request from a property owner to install artificial turf throughout the entirety of his property as he asserts natural grass does not grow well due to wet conditions.
- In light of these informal practices, current village code regulations prohibiting some of these activities, as well as "gaps" within existing village code requiring staff interpretation, staff gathered information via the Northwest Municipal Conference (NWMC), online research, and direct communication with neighboring communities to understand how Lincolnshire might address these issues more formally. Lincolnshire has many of the "tools" already available to regulate urban agriculture and native landscaping; the question at hand is whether the Village Board believes certain changes to village code are warranted.

Urban Agriculture

- Public interest in urban agriculture and growing locally-sourced food has inspired public officials across the United States to implement proper controls over private and community gardens, as well as the keeping of animals (such as chickens and bees) on residential property. While some local governments see this practice as a method of enhancing food security and promoting green space, others see it as intrusive and negatively impacting enjoyment of neighboring properties and not in keeping with neighborhood character.
- Public interest in native landscaping (e.g., ornamental and prairie grasses) has also forced local officials to consider appropriate regulations for plantings on private property. Advocates point to improved environmental conditions and fewer chemicals entering groundwater via fertilizers, while opponents may deem tall grass as a nuisance or not in keeping with neighborhood character. Other challenges include proper definitions of what is "native" versus vegetation that is simply overgrown.

Current Village Code Regulations – Backyard Chickens and Beekeeping

- [Village Code Section 11-13-4](#) prohibits the maintenance of "any stable, veterinary hospital, kennel, dovecote or other place for the keeping or harboring of any cattle, horses, goats, pigs, chickens, geese, ducks, pigeons, rabbits or similar animals or fowl, or to keep or harbor any such animals or fowl upon any residential lot within the Village." Additionally, staff does not believe "honey bees" falls within the definition of "similar animals". However, because the code is silent on "honey bees" and explicitly prohibits chickens, both practices are prohibited.
- Title 6 (Zoning) of the village code does not provide for the keeping of bees and chickens in other zoning districts as either permitted or special uses, other than the F1 Farming District which allows "poultry farms" as a permitted use. However, no properties in Lincolnshire are currently zoned with this distinction.
- Staff became aware of a resident keeping chickens on their R3-zoned property south of Half Day Road in October 2019 and withheld formal action requiring the resident to remove them, knowing a presentation to the Village Board was forthcoming regarding this issue. For the Lincolnshire Marriott Resort to legally continue its practice of beekeeping, Village Code Sections [6-3 \(General Zoning Regulations\)](#) and [6-6B \(B2 General Business District\)](#) would need to be amended to allow this as a



special use, as would the special use ordinance governing the resort. Staff believes this is possible and would work Marriott representatives to effectuate this change to maintain their current business operations.

Current Village Code Regulations – Seasonal Structures and Greenhouses

- [Village Code Section 6-2-2](#) defines “seasonal structures” as “[a]n Accessory Structure located on residential property used for temporary seasonal use, including but not limited to, shade structures, and temporary ice rinks.” While not explicitly defined, the openness of this definition may allow for the temporary erection of [hoop houses](#). Staff believes additional clarification in village code is needed to prohibit hoop houses or other temporary season-extending growing structures.
- [Village Code Section 6-3-6-B](#) regulates seasonal structures via quantity (1), duration (erected for no more than six consecutive months during a 12 month period), height (no taller than 15’), size (no greater than 10% of the gross square footage of principal structure), location (no closer than 10’ from side and rear property lines), and installation of utility services (no permanent utilities such as water, sanitary sewer, and natural gas).
- [Village Code Section 6-3-5-B](#) regulates greenhouses as accessory structures via size (no greater than 10% of the gross square footage of principal structure), height (no taller than 15’), location (must meet minimum required setbacks applicable to the principal structure; cannot extend beyond front façade of principal structure), quantity (no more than two), and establishment (cannot be erected or moved prior to establishment of principal structure).
- Greenhouses are allowed as permitted uses in the R1, R2, R2A, R3, and O/I zoning districts. Greenhouses must be made of at least two walls and the roof of the structure must be glass or similar transparent materials. Storage of materials other than plants cannot be visible from adjacent properties and public ways. Staff believes additional clarification in village code is needed for green houses to ensure they are well-kept, properly maintained, and distinguishable from hoop houses.

Summary of Findings – Backyard Chickens

- Staff researched backyard chicken keeping and found regulations from surrounding communities – via direct communication with those communities, as well as a NWMC survey – and Lake County.
- Generally, residents wanting to keep chickens must apply for and renew an annual permit from the municipality. A maximum number of permits are awarded by local governments each year. Permits can be revoked at any time if the permit holder violates specific regulations.
- For residents living in unincorporated Lake County, Lake County officials recommend a minimum lot size of 10,000 square feet for a maximum of six hens and a minimum lot size of 20,000 square feet for a maximum of eight hens. Roosters are prohibited. The sale of chickens, chicks, and eggs are prohibited. Most communities prohibit residents from slaughtering chickens except in recognized businesses that conduct this service.
- A June 2019 NWMC survey of 11 member communities found only one (Grayslake) allow residents to keep poultry on residential property. The remaining communities (Buffalo Grove, Des Plaines, Glenview, Mount Prospect, Niles, Park Ridge, Rolling Meadows, Schaumburg, Streamwood, and Wheeling) prohibit backyard chickens. Lake Forest and Winnetka also prohibit backyard chickens.



- More locally, the neighboring communities of Deerfield, Highland Park, and Lake Bluff permit backyard chickens. These communities implemented chicken keeping regulations via pilot programs of approximately one year. Table 1 summarizes regulations for these respective municipalities.

Table 1: Comparable Community Backyard Chicken Regulations

	Deerfield	Highland Park	Lake Bluff
Program Implemented	<ul style="list-style-type: none"> • February 2013 	<ul style="list-style-type: none"> • May 2019 	<ul style="list-style-type: none"> • January 2018
# of Hens Permitted	<ul style="list-style-type: none"> • 4 	<ul style="list-style-type: none"> • 6 	<ul style="list-style-type: none"> • No fewer than two adults, and no more than six adults
Housing	<ul style="list-style-type: none"> • Predator- and extreme weather-proof • No taller than 8' • 6 sq. ft. of living space/hen • Requires permit from village prior to construction, addition, or modification • Must be clean and sanitary at all times • Feed must be kept in rodent-proof container 	<ul style="list-style-type: none"> • Predator- and extreme weather-proof • No taller than 8' • 4 sq. ft. of living space/hen • Requires permit from village prior to construction, addition, or modification • Must be clean and sanitary at all times • Feed must be kept in rodent-proof container 	<ul style="list-style-type: none"> • Predator- and extreme weather-proof • 4 sq. ft. of living space/hen • Requires permit from village prior to construction, addition, or modification • Must be clean and sanitary at all times • Feed must be kept in rodent-proof container
Coop Location	<ul style="list-style-type: none"> • Rear yard • Minimum 10' from neighboring property lines 	<ul style="list-style-type: none"> • Rear yard. May apply for permit exception to erect coop in side yard (absent a rear yard) • Minimum 8' from neighboring property lines. May apply for a permit exception to allow a chicken coop with a 3' setback from property lines (if rear yard space is small) • Minimum 10' setbacks from occupied residences 	<ul style="list-style-type: none"> • Rear yard • Minimum 10' setbacks from occupied residences (other than permittee)
Restrictions	<ul style="list-style-type: none"> • Nuisances regarding odor, litter, droppings, other waste, and the like is prohibited • Hens must be confined to coop or enclosed run at all times • Permitted only for single-family residential properties • Slaughtering prohibited, except within enclosed building 	<ul style="list-style-type: none"> • Nuisances regarding odor, litter, droppings, other waste, and the like is prohibited • Hens must be confined to coop or enclosed run at all times • Permitted only for single-family residential properties • Slaughtering prohibited 	<ul style="list-style-type: none"> • Nuisances regarding odor, litter, droppings, other waste, and the like is prohibited • Hens must be confined to coop or enclosed run at all times • Permitted only for single-family residential properties • Slaughtering prohibited in public view • Permit issued only for lots 7,000 sq. ft. or larger. No more than two permits issued to lots less than 10,000 sq. ft.
Licensing	<ul style="list-style-type: none"> • Capped at five for the entire village • Valid for 12 months. Annual renewal required. If not renewed, owner has 30 days to remove all fowl and related facilities from premises. • Village-issued license required. Sketch of proposed coop location also required. • Applicants must provide copy of application to all abutting property owners. 	<ul style="list-style-type: none"> • Valid for 12 months. Annual renewal required. • Village-issued license required. Sketch of proposed coop location also required. • Owners must register with IDOA Livestock Premises Registration 	<ul style="list-style-type: none"> • Capped at five for the entire village • Valid for 12 months. Annual renewal required. • Requires review and approval of village advisory board to approve/disapprove the permit, as well as protective conditions • Owners must register with IDOA Livestock Premises Registration



	<ul style="list-style-type: none"> • Owners must register with IDOA Livestock Premises Registration 		
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Summary of Findings – Backyard Beekeeping

- A June 2016 NWMC survey of 17 member communities found seven communities (Buffalo Grove, Carpentersville, Evanston, Northbrook, Schaumburg, Skokie, and Vernon Hills) allow backyard beekeeping via a permitted program, or by not explicitly prohibiting it in their respective ordinances. Although not included in the NWMC survey, Highland Park also permits backyard beekeeping. Lake County permits backyard beekeeping as an accessory use. Additionally, Lake Bluff launched a pilot program in 2018 to allow backyard beekeeping.
- Although regulations differ between communities, Lake Bluff’s regulations provide a good sense of how a municipality might regulate such a program. Those regulations include:
 - Permitted only for residents of single-family dwellings.
 - Permits issued only for lots larger than 7,000 square feet (two permits may be issued for lots 10,000 square feet or larger).
 - Maximum of three hives per property.
 - Hives cannot be located within 5’ of property line or 10’ of sidewalk, path, or residence. Must be maintained in sound condition and placed in the rear yard behind the principal structure.
 - Hives must be enclosed by a rear yard fence, or within an area 20’ x 25’ with fencing or a hedge with a secure gate. A flyaway barrier at least 6’ tall and 10’ around each side of the hive(s) is required to force bees to fly at a certain height to minimize interaction with humans.
 - Signage is required to identify bees are kept on the property.
 - A fresh, clean water source is required.
 - Aggressive hives must be re-queened.
 - Hives must be registered with the IDOA. Proof of registration must be kept on-site. Hives must be available for inspection upon request by a State apiary inspector.

Native Landscaping and Yard Maintenance

Current Village Code Regulations

- [Village Code Section 13-2-1](#) affirms the purpose of Title 13 (Tree Preservation), Chapter 2 (Landscaping), in that the “Landscaping Code” is intended to “[p]romote and maintain the high quality visual appearance and environmental benefits throughout the year through landscaping and preservation of native vegetation.” This code section also helps “[e]nhance the visual and environmental character of the Village’s built environment through the utilization of conscientious landscape design.”
- [Village Code Section 13-2-5](#) provides landscaping requirements for single-family residences. These requirements tend to focus on specific size and quantity of tree plantings on single-family residential lots for all new homes (i.e., structural additions and tear-downs are exempt) and new residential subdivisions. Village code is silent on native landscaping requirements, other than around stormwater facilities, as well as artificial turf installation for single-family properties. The code also lacks a definition for “turf”. [Village Code Section 4-1A-1-B](#) regulates tall grass at 6” and requires any grass or noxious weed in excess of this height to be cut.

Summary of Findings / Proposed Amendments

- Staff surveyed the communities of DeKalb, Park Ridge, Northbrook, Northfield, and Wilmette regarding natural landscape and artificial turf policies, given staff’s awareness of these communities’ definitions and/or regulations regarding natural landscaping and artificial turf policies. Many surrounding



communities do not outright regulate artificial turf. This survey was motivated after a resident expressed interest installing artificial turf throughout the entirety of his property during summer 2019.

- Only Wilmette defines artificial turf as “surface of synthetic fibers made to look like natural grass that is used for sports or similar activities that originally or normally take place on grass and for residential and commercial lawns.” Wilmette also regulates the permeability of artificial turf. Specifically, synthetic turf that “maintains permeability equal to or better than the permeability of the natural ground surface of the property where it is installed shall not count against the impervious surface requirements of the Zoning Ordinance.” Wilmette further regulates the encroachment of artificial turf, in that it is prohibited in the front yard and side yard adjoining a street. It may be installed in the interior side yard and rear yard, but no closer than 3’ to any lot line.
- For Lincolnshire, staff recommends any property owner seeking to install artificial turf must demonstrate the material’s permeability to determine impervious surface ratio calculations. Staff also recommends artificial turf be limited to the rear yard, not within 10’ of any lot line, and capped at 10% of the total square footage of the rear yard and not extend into conservancy and other restricted areas. Furthermore, [Village Code Section 13-1-3](#) provides a framework for potential amendments to address artificial turf installation, such that staff recommends no turf be installed within 15’ of the base of tree as a matter of root zone protection, regardless of the artificial turf’s permeability.
- The municipalities of DeKalb, Park Ridge, and Northfield categorize turf as grasses commonly used in regularly cut lawns, seed, or sod.
- Only Northbrook regulates ornamental and native grasses by permit. These grasses are limited to floodplain and defined wetlands, designated outlots, and buffer zones.
- DeKalb has robust regulations regarding natural landscaping for residential areas, as summarized below:
 - “Planned Natural Landscaping” is defined as a “planned, intentional, and maintained planting of plants, grasses, and/or groundcovers, rain gardens and bioswales, or shrubs and/or trees. Planned Natural Landscaping does not include any species of turf grasses and is not intended to allow a property owner to ignore yard care duties nor to allow for unmowed/unmaintained areas to be deemed naturalized.”
 - Planned natural landscaping also requires the elimination of turf grass in the designated area, as well as transplanting or seeding the natural plants, trees, and shrubs. This would prevent a property owner from contending overgrown turf grass is natural landscaping.
 - Setbacks include:
 - 2’ from front lot lines when adjacent to sidewalks and 0’ from front lot lines absent a sidewalk.
 - 2’ from rear and side lot lines and 0’ from rear and side lot lines when they abut forests or other open-space use areas that are lawfully not regularly mowed or maintained.
 - All plants – excluding trees and shrubs – cannot exceed 24”. This applies a 5’ radius within a private mailbox. Planned Natural Landscaping must be cut at least annually to a maximum height of 8”.
 - A 3’-wide path, comprised of regularly-cut turf, mulch, wood chips, or commercial landscaping materials, is required for access to utility structures.

Staff Recommendation / Conditions

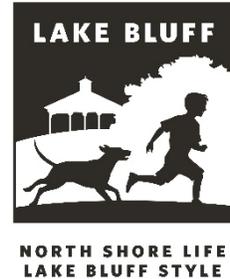
- Staff seeks the Board’s feedback and direction regarding the potential urban agriculture, artificial turf, and native landscaping code revisions. At a high level, staff recommends the following:



- Maintain current village regulations that prohibit the keeping of chickens and bees on all residential, commercial, office/industrial, and manufacturing zoning districts – except for the B2 zoning district with stringent conditions (see next bullet point).
 - Work with the Lincolnshire Marriott to amend the Title 6 (Zoning) of the village code to allow for beekeeping in the B2 zoning district as a special use, so long as beekeeping is accessory to a restaurant. Staff also recommends a 100-acre-minimum lot/property size for this use, comparable to the approach taken in 2017 for the permissibility of Marriott's permanent tent. An amendment to Marriott's special use permit would also be required.
 - Amend the village code in appropriate sections to better regulate natural landscaping and artificial turf installation.
- Should the Board refer any or all of these items to the Zoning Board, staff will develop more detailed recommendations to ensure practical enforcement of the village code concurrent with public health, safety, and welfare.

Backyard Pilot Program Application

Village of Lake Bluff, Illinois



General Information

Lake Bluff recently approved pilot programs that will allow residents to keep chickens and bees on residential property. A limited number of permits will be issued, following a review by the Village's Sustainability and Community Enhancement Ad Hoc Committee ("SEC") and an inspection by Village staff. The pilot program is intended to be of limited scope and duration, and may be amended or terminated at any time.

A list of applicable requirements is attached, starting on Page 3. Note that, as a pilot program, the SEC is committed to selecting those applicants most likely to succeed as participants. A full list of the criteria the SEC will consider is attached to this application.

Process Overview

- | | Mail Notice
No Later Than | Hearing
(7 p.m.) |
|--|--------------------------------------|---------------------------------|
| <ul style="list-style-type: none"> > 14 days before meeting:
 Applicant submits application and \$50 fee.
 Staff reviews for completeness. | Wednesday,
February 14, 2018 | Wednesday,
February 28, 2018 |
| <ul style="list-style-type: none"> 14 days before meeting:
 Applicant mails certified notice in a form prescribed by the Village to adjoining owners of record and residents. (<i>These parties may not be the same.</i>) | Thursday,
March 8, 2018 | Thursday,
March 22, 2018 |
| <ul style="list-style-type: none"> Day of meeting:
 The SEC meets at 7 p.m. in the Village Hall Board Room (40 E. Center Ave.) Applications are generally considered in the order they were first received. Staff will provide an overview of the request, and the Applicant will give a brief presentation. Members of the public will be invited to comment, and then the SEC will discuss the application's merits under the standards. The SEC may recommend approval or denial. | Wednesday,
April 11, 2018 | Wednesday,
April 25, 2018 |
| | Wednesday,
May 16, 2018 | Wednesday,
May 30, 2018 |
| | Wednesday,
June 13, 2018 | Wednesday,
June 27, 2018 |
| | Wednesday,
July 11, 2018 | Wednesday,
July 25, 2018 |
| <ul style="list-style-type: none"> After meeting:
 Village Administrator makes final decision on application.
 If approved, Applicant may construct (e.g. hives, coops). (<i>A building permit is required.</i>)
 Staff inspects structures and issues permit, which authorizes start of animal keeping. | | |
| <ul style="list-style-type: none"> Ongoing basis:
 The Village may inspect the property from time to time if there are complaints or reason to believe that the Municipal Code or provisions of the pilot program are being violated.
 Permits expire March 1 each year – no matter when first issued – and must be renewed by repeating this process. (2018 permits will not be issued prior to March 1.) | | |

Backyard Pilot Program Application

Village of Lake Bluff, Illinois



Name: _____

Phone: _____

E-mail: _____

Site Address: _____

Site PIN: _____

Animal requested (select one): **Chickens** **Bees**

Attach, at a minimum, the following:

- _____ A statement (one page or less) describing why you wish to pursue this activity; how you will ensure that adjacent properties are not inconvenienced; and describing any relevant experience or training you have. *Refer to the Criteria for Applicant Review on the next page.*
- _____ A site plan showing where the shelter, fencing, signage, etc. will be erected. Note the distances separating these structures from rear and side lot lines. *(You may use a survey of your property, or refer to [Lake County Maps](#) for a map to sketch upon.)*
- _____ Attach a drawing of any shelter you plan to build, or a catalog page of any pre-fabricated shelter you intend to purchase.

My initials on each line indicate that I understand and agree to abide by the following conditions:

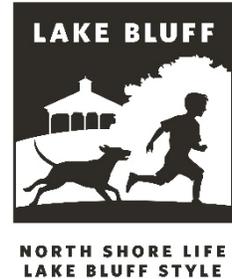
- _____ I authorize Village officials to inspect the shelter and living conditions of these animals.
- _____ I will ensure that the animals will be kept and maintained at all times in a safe and sanitary manner and will not, at any time, constitute or contribute to a public nuisance.
- _____ I will ensure that the animals do not violate the animal control ordinances of Lake Bluff. I will not allow them to run at large, emit disturbing noises or odors, or otherwise disturb the peace.
- _____ I will notify the Village if there are substantial changes to the shelter arrangements described herein.
- _____ If my property is subject to private deed restrictions, covenants, or conditions, said documents do not prohibit the activities allowed by this permit.

In accordance with the Lake Bluff Municipal Code, I will continue to meet all of the foregoing conditions and requirements. I hereby swear or affirm that all information in this application is, to the best of my knowledge and belief, true and correct.

Signature _____ **Date:** _____

SEC's Criteria for Applicant Review

Backyard Pilot Program Application Village of Lake Bluff, Illinois



General Standard: The extent that the application demonstrates the applicant will provide adequately for health, shelter, food, water, and yard conditions.

Compliance with the Regulations: The extent that the application demonstrates that the applicant and the proposed activity will comply with all additional standards imposed on it (see subsequent page of Chicken-Specific or Bee-Specific Regulations).

Lot Size and Situation: The shape, size, and location of the lot, principal structure, and keeping area; and the extent that these conditions tend to mitigate or exaggerate the potential that an adjoining property owner or others may be negatively affected by the proposed keeping. The advisory body shall show preference to those applications which demonstrate large lot sizes, screening, or other unique conditions which minimize the aforesaid potential.

Prior Violations: If the applicant has been the subject of any valid complaint documenting a violation of the program or any nuisance, property maintenance or animal control regulations contained in the Lake Bluff Municipal Code.

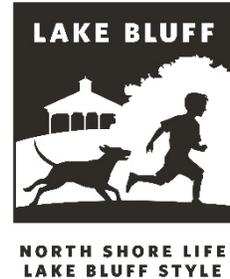
Experience or Training: The applicant's training, education, or prior experience in keeping the animal requested.

Unique Health Circumstances: If residents of adjoining or nearby property present evidence that they suffer from a health condition whereby the proposed keeping may pose a unique risk to their health.

Public Testimony: Testimony and other evidence received from the public during the advisory body's consideration of the application, to the extent that such testimony concerns the specific circumstances of the application and not the general propriety of the proposed activity.

Chicken-Specific Regulations

Backyard Pilot Program Application Village of Lake Bluff, Illinois



Eligibility: Only residents of single-family dwellings may apply. No permit shall be issued for a lot smaller than 7,000 square feet in area. No more than two (2) permits shall be issued to lots less than 10,000 square feet in area.

Limit Upon Number: No fewer than two adult chickens, and no more than six, adult chickens may be owned by any permittee at any one time.

Female Chickens: Only female chickens may be owned or maintained on a permittee's property.

Sale of Eggs Prohibited: The permittee shall not sell eggs produced upon the property.

Slaughtering: No slaughtering of chickens shall occur in public view.

Chicken Enclosure:

- i. Chickens shall be kept in a pen, coop, run, or chicken tractor.
- ii. No chicken enclosure shall be erected or maintained within 10 feet of any occupied residence other than that of the permittee.
- iii. Chicken enclosures shall only be erected or maintained in the rear yard and behind the principal structure on the permittee's lot.
- iv. Chicken enclosures shall provide at least four square feet of area for each chicken housed.
- v. Chicken enclosures must be maintained in a sound and useable condition.
- vi. Chicken enclosures must be constructed of sturdy and weather-resistant materials, such as, without limitation: wire, wood, hardware cloth.
- vii. Chicken enclosures shall be resistant to predators. All access doors must be able to be shut and locked. All opening windows and vents must be covered with predator-proof wire with less than one-inch openings.

Open Space: Chickens shall be provided with adequate open space in the form of either an enclosed chicken run or a yard fully enclosed by a fence.

Sanitation: The enclosure and open space must be kept clean and sanitary at all times.

Rodent Protection: All feed and other items associated with the keeping of chickens shall be protected from or to prevent rats, mice, or other rodents from gaining access to or coming into contact with the feed.

Nuisances: No permittee shall permit:

- i. Noxious or offensive odors from chicken-keeping, including the odor of chickens or manure, to be perceptible at or beyond the boundary of the permittee's property;
- ii. Offensive noise from chickens that disturbs the peace at any time; or
- iii. Any other public or private nuisance resulting from the permitted activity, whether by litter, droppings, feathers, waste, or attraction of pests or rodents.

State Registration: The permittee's premises upon which chickens are kept shall be registered with the Illinois Department of Agriculture, and proof of registration shall be maintained on-site; unless the Department shall stop accepting residential hive registrations.

Bee-Specific Regulations

Backyard Pilot Program Application Village of Lake Bluff, Illinois



Eligibility: Only residents of single-family dwellings may apply. No permit shall be issued for a lot smaller than 7,000 square feet in area. No more than two (2) permits shall be issued to lots less than 10,000 square feet in area.

Limit Upon Number: No more than three hives may be kept upon a property except where approved by resolution of the Village Board of Trustees.

Hives:

- i. No hive shall be erected or maintained within five feet of any property line, or within 10 feet of any sidewalk, path, or residence.
- ii. Hives must have removable combs that can be inspected.
- iii. Hives must be maintained in a sound and useable condition.
- iv. Hives shall only be erected or maintained in the rear yard and behind the principal structure on the lot.

Fences and Barriers:

- i. **Enclosure:** Except where a residential rear yard is fenced, an area no less than 20 feet by 25 feet (20'x25') shall be enclosed by fencing or a hedge with a secure gate.
- ii. **Flyway Barrier:** A flyway barrier shall be maintained at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends 10 feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property lines.
- iii. A single structure may satisfy both the enclosure and flyway barrier requirements.
- iv. Signage shall be provided warning of the presence of a bee hive on the property.

Water: Each permittee must ensure that a convenient source of water is available at all times to the bees so that the bees will not congregate at swimming pools or other water sources where they may cause human, bird, or domestic pet contact. The water shall be maintained so as not to become stagnant.

Queens: In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation, or exhibits an unusual disposition towards swarming, the colony shall be re-queened. Queens must be selected from stock bred for gentleness and non-swarming characteristics.

State Registration: The hives maintained by the permittee shall be registered with the Illinois Department of Agriculture, and proof of registration shall be maintained on-site; unless the Department shall stop accepting residential hive registrations.

State Inspection: The permittee shall request that a State apiary inspector inspect the hives within a reasonable period of time after the establishment of the hive.

RESOLUTION NO. 2018-6

A RESOLUTION AUTHORIZING A BACKYARD CHICKEN PILOT PROGRAM

WHEREAS, the Village of Lake Bluff ("**Village**") is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and,

WHEREAS, there are certain environmental benefits associated with the keeping of chickens, including the chickens' ability to provide a local, sustainable, and environmentally friendly food source through eggs, and nitrogen rich plant fertilizer; and,

WHEREAS, chickens can be maintained within populated areas in reasonable densities to fill the ecological niche without causing a nuisance if the chickens are properly located, managed and maintained; and,

WHEREAS, the Village has prosecutorial discretion on whether to, and how to, enforce, its local ordinances, regulations, and other laws (collectively, "**Regulations**"); and,

WHEREAS, notwithstanding anything contained in the Regulations to the contrary, the Village Board desires to use the Village's prosecutorial discretion and its home rule authority to create a temporary pilot program to allow residents to keep chickens on their properties pursuant to certain criteria ("**Pilot Program**"); and,

WHEREAS, the Village finds that the creation of a Pilot Program is desirable and in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS as follows:

Section 1. Recitals.

The foregoing recitals are hereby incorporated into, and made a part of, this Resolution as the findings of the President and Board of Trustees of the Village of Lake Bluff.

Section 2. Approval of Pilot Program.

The Village Board of Trustees hereby permits chickens to be kept on property in the Village pursuant to the following regulations:

A. Permits:

1. **Purpose:** Accessory chicken permits are established to provide a mechanism for the lawful keeping of chickens that are uncommon in residential areas and that, if kept improperly, would injure the public

health, safety, comfort, convenience, and general welfare. These regulations are explicitly adopted as a pilot program for study, which may be modified or terminated by the Village Board of Trustees, and no permit shall be construed as a vested right that would prevent the modification or termination of this program or to otherwise keep the permitted chickens except in conformance with the requirements set forth herein.

2. **Permit Required:** No person shall own, keep, possess, harbor, or offer refuge to or for chickens without first applying to and receiving an accessory chicken permit.
3. **Number of Permits:** The Village shall be authorized to issue no more than five (5) permits outstanding at any one time. No more than two (2) accessory chicken permits shall be issued to lots less than 10,000 square feet in area.
4. **Eligibility:** Only residents of single-family dwellings may apply for and receive an accessory chicken permit. No accessory chicken permit shall be issued for a lot smaller than 7,000 square feet in area.
5. **Permit Term:** Accessory chicken permits issued shall be valid from the date of issuance until the next succeeding March 1 unless the permit or the Pilot Program is terminated. Permits must be renewed annually.
6. **Application Fee:** A non-refundable application fee of \$50 shall accompany each application. Said fee is imposed to defray the costs and expenses of the Village's consideration of the application, regardless of the ultimate approval or disapproval of the permit sought.
7. **Transfer of Permit:** Permits issued shall only be valid for the applicant listed on the application. A new permit and application fee shall be required in the event that an applicant or permittee moves to a new address or transfers the chickens to a person not already possessing the appropriate permit.
8. **Responsible Officer:** The Village Administrator or his or her designee shall be responsible for the review, issuance, enforcement, and revocation of accessory chicken permits.
9. **Advisory Review Required:** Prior to reaching a decision upon an initial or renewal application for an accessory chicken permit, the Village Administrator shall solicit the review and recommendation of the Sustainability and Community Enhancement Ad Hoc Committee or another advisory body of the Village as to whether the application should be approved or disapproved and as to what, if any, protective conditions

should be imposed upon the permit. The recommendation shall occur after a public meeting held before the advisory body, only after notice in a form prescribed by the Village is duly provided by the applicant to adjoining property owners and residents by certified mail at least two weeks in advance of the meeting. In reviewing the application and the proposed permit, among other factors, the advisory body shall give due consideration to:

- i. General Standard: The extent that the application demonstrates the applicant will provide adequately for the chickens health, shelter, food, water, yard conditions.
- ii. Compliance with the Regulations: The extent that the application demonstrates that the applicant and the proposed activity will comply with all additional standards imposed on it by Section 2.B of this Resolution.
- iii. Lot Size and Situation: The shape, size, and location of the lot, principal structure, and chicken-keeping area; and the extent that these conditions tend to mitigate or exaggerate the potential that an adjoining property owner or others may be negatively affected by the proposed chicken-keeping. The advisory body shall show preference to those applications which demonstrate large lot sizes, screening, or other unique conditions which minimize the aforesaid potential.
- iv. Prior Violations: If the applicant has been the subject of any valid complaint documenting a violation of this Resolution or any nuisance, property maintenance or animal control regulations contained in the "Lake Bluff Municipal Code."
- v. Experience or Training: The applicant's training, education, or prior experience in keeping chickens.
- vi. Unique Health Circumstances: If residents of adjoining or nearby property present evidence that they suffer from a health condition whereby the proposed chicken-keeping may pose a unique risk to their health.
- vii. Public Testimony: Testimony and other evidence received from the public during the advisory body's consideration of the application, to the extent that such testimony concerns the specific circumstances of the application and not the general propriety of the proposed activity.

10. **Inspection:**

- i. Initial Inspection: An on-site inspection shall be performed prior to first issuance of an accessory chicken permit, and from time to time as described herein. The applicant or permittee shall permit such inspection at reasonable times and upon reasonable notice. Said consent to inspect is a condition of any accessory animal permit, and refusal shall be cause for rejection of an application or revocation of an accessory chicken permit.
- ii. Additional Inspections: The Village Administrator may perform an inspection of the property of an applicant or permittee for any of the following reasons:
 - a) The Village Administrator or his or her designee requires an inspection as a condition of renewal of an accessory animal permit;
 - b) The applicant or permittee has received a citation for violation of any provision of this Resolution or the "Lake Bluff Municipal Code" related to chicken-keeping within the preceding 12 months;
 - c) The Village has received a documented complaint concerning the conditions of the permit, including the chickens permitted or the manner in which the chickens are kept; or,
 - d) The Village has probable cause to believe a violation of this Resolution or the "Lake Bluff Municipal Code" related to chicken-keeping exists.
- iii. Inspection Criteria: The inspection shall verify that the applicant or permittee provides adequate shelter, food, water, yard condition, yard security, and other necessary conditions to preserve the health of the chickens, and complies with the requirements of this Resolution. If any deficiency of these conditions is found, the applicant or permittee must correct such violation within such period of time as the Village shall direct.

11. **Protective Conditions:** At the time of issuance or renewal, the Village Administrator may impose specific conditions upon the recipient of an accessory chicken permit to prevent or minimize adverse effects upon other property in the vicinity of the permitted activity. Such conditions

shall be expressly set forth in the permit. Violation of any such condition or limitation shall be a violation of the regulations contained in this Resolution and shall constitute grounds for revocation of the permit.

12. **Revocation:** Any permit issued under the provisions of this chapter may be revoked by the Village Administrator for a violation of any condition imposed upon a permit, any provision hereof, or upon satisfactory proof that the permitted activity was conducted in a manner detrimental to the public safety, health, or morals. Such revocation may be in addition to the imposition of a fine or other penalty for a violation of any provision of the "Lake Bluff Municipal Code," and shall be no defense to a prosecution for such violation.
13. **Appeal:** In the event any applicant or permittee shall be refused a permit by the Village Administrator, have their permit revoked, or shall feel otherwise aggrieved, he or she shall have the right to appeal from the decision of the Village Administrator to the Board of Trustees, which Board shall have the power to reverse or otherwise modify the decision of the Village Administrator. Such appeal shall be in writing, addressed to the President and Board of Trustees setting forth in detail the grounds of such appeal.

B. Backyard Chicken Regulations:

1. **Limit Upon Number:** No fewer than two adult chickens, and no more than six, adult chickens may be owned by any permittee at any one time.
2. **Female Chickens:** Only female chickens may be owned or maintained on a permittee's property.
3. **Sale of Eggs Prohibited:** The permittee shall not sell eggs produced upon the property.
4. **Slaughtering:** No slaughtering of chickens shall occur in public view.
5. **Chicken Enclosure:**
 - i. Chickens shall be kept in a pen, coop, run, or chicken tractor.
 - ii. No chicken enclosure shall be erected or maintained within 10 feet of any occupied residence other than that of the permittee.

- iii. Chicken enclosures shall only be erected or maintained in the rear yard and behind the principal structure on the permittee's lot.
 - iv. Chicken enclosures shall provide at least four square feet of area for each chicken housed.
 - v. Chicken enclosures must be maintained in a sound and useable condition.
 - vi. Chicken enclosures must be constructed of sturdy and weather-resistant materials, such as, without limitation: sturdy wire, wood, hardware cloth.
 - vii. Chicken enclosures shall be resistant to predators. All access doors must be able to be shut and locked. All opening windows and vents must be covered with predator-proof wire with less than one-inch openings.
6. **Open Space:** Chickens shall be provided with adequate open space in the form of either an enclosed chicken run or a yard fully enclosed by a fence.
 7. **Sanitation:** The enclosure and open space must be kept clean and sanitary at all times.
 8. **Rodent Protection:** All feed and other items associated with the keeping of chickens shall be protected from or to prevent rats, mice, or other rodents from gaining access to or coming into contact with the feed.
 9. **Nuisances:** No permittee shall permit:
 - i. Noxious or offensive odors from chicken-keeping, including the odor of chickens or manure, to be perceptible at or beyond the boundary of the permittee's property;
 - ii. Offensive noise from chickens that disturbs the peace at any time; or
 - iii. Any other public or private nuisance resulting from the permitted activity, whether by litter, droppings, feathers, waste, or attraction of pests or rodents.

10. **State Registration:** The permittee's premises upon which chickens are kept shall be registered with the Illinois Department of Agriculture, and proof of registration shall be maintained on-site; unless the Department shall stop accepting residential hive registrations.

Section 4. Effective Date

This Resolution shall be in full force and effect from and after its passage by a vote the Village Board of Trustees and approval in the manner required by law, and shall remain in effect until the earlier of:

- A. March 1, 2021; or
- B. Until this Resolution is repealed.

[SIGNATURE PAGE FOLLOWS]

PASSED this 8th day of January, 2018, by vote of the Board of Trustees of the Village of Lake Bluff as follows:

AYES: (4) Dewart, Grenier, Meyer and President O'Hara

NAYS: (2) Ankenman and Lemieux

ABSTAIN: (0)

ABSENT: (1) Towle

APPROVED this 8th day of January, 2018.


Village President

ATTEST:


Village Clerk

RESOLUTION NO. 2018-5

A RESOLUTION AUTHORIZING A BACKYARD BEE PILOT PROGRAM

WHEREAS, the Village of Lake Bluff ("**Village**") is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and,

WHEREAS, bees are beneficial to mankind by providing agricultural fruit and vegetable pollination services in tandem with home garden vegetable and fruit production, and by furnishing honey, beeswax and other useful products; and,

WHEREAS, bees can be maintained within populated areas in reasonable densities to fill the ecological niche without causing a nuisance if the bees are properly located, managed and maintained; and,

WHEREAS, the Village has prosecutorial discretion on whether to, and how to, enforce, its local ordinances, regulations, and other laws (collectively, "**Regulations**"); and,

WHEREAS, notwithstanding anything contained in the Regulations to the contrary, the Village Board desires to use the Village's prosecutorial discretion and its home rule authority to create a temporary pilot program to allow residents to keep bees on their properties pursuant to certain criteria ("**Pilot Program**"); and,

WHEREAS, the Village finds that the creation of a Pilot Program is desirable and in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS as follows:

Section 1. Recitals.

The foregoing recitals are hereby incorporated into, and made a part of, this Resolution as the findings of the President and Board of Trustees of the Village of Lake Bluff.

Section 2. Approval of Pilot Program.

The Village Board of Trustees hereby permits bees to be kept on property in the Village pursuant to the following regulations:

A. Permits:

1. **Purpose:** Accessory bee permits are established to provide a mechanism for the lawful keeping of bees that are uncommon in residential areas and that, if kept improperly, would injure the public health, safety, comfort, convenience, and general welfare. These regulations are explicitly adopted as a pilot program for study, which may be modified or terminated by the

Village Board of Trustees, and no permit shall be construed as a vested right that would prevent the modification or termination of this program or to otherwise keep the permitted bees except in conformance with the requirements set forth herein.

2. **Permit Required:** No person shall own, keep, possess, harbor, or offer refuge to or for bees without first applying to and receiving an accessory bee permit.
3. **Number of Permits:** The Village shall be authorized to issue no more than five (5) permits outstanding at any one time. No more than two (2) accessory bee permits shall be issued to lots less than 10,000 square feet in area.
4. **Eligibility:** Only residents of single-family dwellings may apply for and receive an accessory bee permit. No accessory bee permit shall be issued for a lot smaller than 7,000 square feet in area.
5. **Permit Term:** Accessory bee permits issued shall be valid from the date of issuance until the next succeeding March 1 unless the permit or the Pilot Program is terminated. Permits must be renewed annually.
6. **Application Fee:** A non-refundable application fee of \$50 shall accompany each application. Said fee is imposed to defray the costs and expenses of the Village's consideration of the application, regardless of the ultimate approval or disapproval of the permit sought.
7. **Transfer of Permit:** Permits issued shall only be valid for the applicant listed on the application. A new permit and application fee shall be required in the event that an applicant or permittee moves to a new address or transfers the bees to a person not already possessing the appropriate permit.
8. **Responsible Officer:** The Village Administrator or his or her designee shall be responsible for the review, issuance, enforcement, and revocation of accessory bee permits.
9. **Advisory Review Required:** Prior to reaching a decision upon an initial or renewal application for an accessory bee permit, the Village Administrator shall solicit the review and recommendation of the Sustainability and Community Enhancement Ad Hoc Committee or another advisory body of the Village as to whether the application should be approved or disapproved and as to what, if any, protective conditions should be imposed upon the permit. The recommendation shall occur after a public meeting held before the advisory body, only after notice in a form prescribed by the Village is duly provided by the applicant to adjoining

property owners and residents by certified mail at least two weeks in advance of the meeting. In reviewing the application and the proposed permit, among other factors, the advisory body shall give due consideration to:

- i. General Standard: The extent that the application demonstrates the applicant will provide adequately for the bees health, shelter, food, water, yard conditions.
 - ii. Compliance with the Regulations: The extent that the application demonstrates that the applicant and the proposed activity will comply with all additional standards imposed on it by Section 2.B of this Resolution.
 - iii. Lot Size and Situation: The shape, size, and location of the lot, principal structure, and bee-keeping area; and the extent that these conditions tend to mitigate or exaggerate the potential that an adjoining property owner or others may be negatively affected by the proposed bee-keeping. The advisory body shall show preference to those applications which demonstrate large lot sizes, screening, or other unique conditions which minimize the aforesaid potential.
 - iv. Prior Violations: If the applicant has been the subject of any valid complaint documenting a violation of this Resolution or any nuisance, property maintenance or animal control regulations contained in the "Lake Bluff Municipal Code."
 - v. Experience or Training: The applicant's training, education, or prior experience in keeping bees.
 - vi. Unique Health Circumstances: If residents of adjoining or nearby property present evidence that they suffer from a health condition whereby the proposed bee-keeping may pose a unique risk to their health.
 - vii. Public Testimony: Testimony and other evidence received from the public during the advisory body's consideration of the application, to the extent that such testimony concerns the specific circumstances of the application and not the general propriety of the proposed activity.
10. **Inspection:**
- i. Initial Inspection: An on-site inspection shall be performed prior to first issuance of an accessory bee permit, and from time to time as described herein. The applicant or permittee shall permit such

inspection at reasonable times and upon reasonable notice. Said consent to inspect is a condition of any accessory animal permit, and refusal shall be cause for rejection of an application or revocation of an accessory bee permit.

- ii. **Additional Inspections:** The Village Administrator may perform an inspection of the property of an applicant or permittee for any of the following reasons:
 - a) The Village Administrator or his or her designee requires an inspection as a condition of renewal of an accessory animal permit;
 - b) The applicant or permittee has received a citation for violation of any provision of this Resolution or the "Lake Bluff Municipal Code" related to bee-keeping within the preceding twelve (12) months;
 - c) The Village has received a documented complaint concerning the conditions of the permit, including the bees permitted or the manner in which the bees are kept; or,
 - d) The Village has probable cause to believe a violation of this Resolution or the "Lake Bluff Municipal Code" related to bee-keeping exists.
 - iii. **Inspection Criteria:** The inspection shall verify that the applicant or permittee provides adequate shelter, food, water, yard condition, yard security, and other necessary conditions to preserve the health of the bees, and complies with the requirements of this Resolution. If any deficiency of these conditions is found, the applicant or permittee must correct such violation within such period of time as the Village shall direct.
11. **Protective Conditions:** At the time of issuance or renewal, the Village Administrator may impose specific conditions upon the recipient of an accessory bee permit to prevent or minimize adverse effects upon other property in the vicinity of the permitted activity. Such conditions shall be expressly set forth in the permit. Violation of any such condition or limitation shall be a violation of the regulations contained in this Resolution and shall constitute grounds for revocation of the permit.
 12. **Revocation:** Any permit issued under the provisions of this chapter may be revoked by the Village Administrator for a violation of any condition imposed upon a permit, any provision hereof, or upon satisfactory proof

that the permitted activity was conducted in a manner detrimental to the public safety, health, or morals. Such revocation may be in addition to the imposition of a fine or other penalty for a violation of any provision of the "Lake Bluff Municipal Code," and shall be no defense to a prosecution for such violation.

13. **Appeal:** In the event any applicant or permittee shall be refused a permit by the Village Administrator, have their permit revoked, or shall feel otherwise aggrieved, he or she shall have the right to appeal from the decision of the Village Administrator to the Board of Trustees, which Board shall have the power to reverse or otherwise modify the decision of the Village Administrator. Such appeal shall be in writing, addressed to the President and Board of Trustees setting forth in detail the grounds of such appeal.

B. Bee-Keeping Regulations:

1. **Limit Upon Number:** No more than three hives may be kept upon a property except where approved by resolution of the Village Board of Trustees.
2. **Hives:**
 - i. No hive shall be erected or maintained within five feet of any property line, or within 10 feet of any sidewalk, path, or residence.
 - ii. Hives must have removable combs that can be inspected.
 - iii. Hives must be maintained in a sound and useable condition.
 - iv. Hives shall only be erected or maintained in the rear yard and behind the principal structure on the lot.
3. **Fences and Barriers:**
 - i. Enclosure: Except where a residential rear yard is fenced, an area no less than 20 feet by 25 feet (20'x25') shall be enclosed by fencing or a hedge with a secure gate.
 - ii. Flyway Barrier: A flyway barrier shall be maintained at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends 10 feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property lines.

- iii. A single structure may satisfy both the enclosure and flyway barrier requirements.
 - iv. Signage shall be provided warning of the presence of a bee hive on the property.
- 4. **Water:** Each permittee must ensure that a convenient source of water is available at all times to the bees so that the bees will not congregate at swimming pools or other water sources where they may cause human, bird, or domestic pet contact. The water shall be maintained so as not to become stagnant.
 - 5. **Queens:** In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation, or exhibits an unusual disposition towards swarming, the colony shall be re-queened. Queens must be selected from stock bred for gentleness and non-swarming characteristics.
 - 6. **State Registration:** The hives maintained by the permittee shall be registered with the Illinois Department of Agriculture, and proof of registration shall be maintained on-site; unless the Department shall stop accepting residential hive registrations.

Section 4. Effective Date

This Resolution shall be in full force and effect from and after its passage by a vote the Village Board of Trustees and approval in the manner required by law, and shall remain in effect until the earlier of:

- A. March 1, 2021; or
- B. Until this Resolution is repealed.

[SIGNATURE PAGE FOLLOWS]

PASSED this 8th day of January, 2018, by vote of the Board of Trustees of the Village of Lake Bluff as follows:

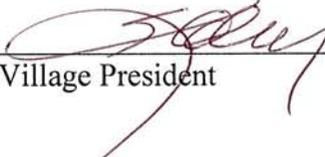
AYES: (4) Ankenman, Dewart, Grenier and Meyer

NAYS: (1) Lemieux

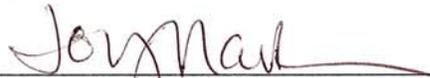
ABSTAIN: (0)

ABSENT: (1) Towle

APPROVED this 8th day of January, 2018.


Village President

ATTEST:


Village Clerk

#54873245_v1

DOCUMENT 4

KEEPING CHICKENS



REGISTRATIONS ARE REQUIRED TO DEMONSTRATE THAT THE CRITERIA ENCLOSED HAVE BEEN MET. PLEASE VISIT THE CENTRAL PERMIT FACILITY TO OBTAIN MORE INFORMATION.

Central Permit Facility
500 W. Winchester Rd.
Libertyville, Illinois 60048

Phone: 847-377-2600
Fax: 847-984-5608
E-Mail: icpermits@lakecountyil.gov



KEEPING CHICKENS

Hens (female chickens) may be kept as an accessory use on single family residential lots of 10,000 square feet or greater. The number of hens allowed is based on the lot size, as follows:



MINIMUM LOT SIZE	MAXIMUM NUMBER OF HENS ALLOWED
10,000 square feet	6
20,000 square feet	8
40,000 square feet	10
80,000 square feet	12
200,000 square feet	No Limit, if AG Exempt

Chicken Coop

- ❖ Hens must be kept in an enclosed outdoor protective coop, no more than eight feet in height.
- ❖ Coops must be large enough to provide at least 3 square feet per hen and allow the hens easy access to an enclosed chicken yard.

Chicken Yard

- ❖ Coops must be connected with an enclosed chicken yard or run.
- ❖ Wire mesh fencing materials must retain a flat and uniform plane and be maintained in a safe condition.
- ❖ Hens may be allowed to roam within a fenced back yard, but not outside of the fenced yard.

Setbacks

Street Side

Chicken coops and yards may not be located between the dwelling and any improved road right-of-way or transportation easement.

Neighboring Structures

In addition to setback requirements for accessory structures, chicken coops must be located at least thirty (30) feet away from any existing structures on any adjoining parcel, such as dwellings, non-residential buildings, patios, decks, or swimming pools, but not including storage structures such as garages or sheds

Management Practices

- ❖ Roosters are not allowed on non-exempt properties.
- ❖ Coops must be covered with uniform materials and be maintained intact with all parts secure. Any repairs must maintain consistency with the original structure in appearance and condition. The coop or yard fencing must be replaced, removed, or repaired upon evidence of deterioration.
- ❖ Coops and yards must be cleaned on a regular basis, so they remain free from accumulated waste causing odors reasonably detectable on adjacent properties.
- ❖ All feed for hens must be stored in tightly fitted containers that are rodent-proof.
- ❖ Outdoor slaughter of chickens is not allowed.



Per the Illinois Department of Agriculture, those wishing to keep hens on their premises are advised to complete a Livestock Premises Registration. Visit <http://www.agr.state.il.us/premiseid/> for more information.

HEALTHY FAMILIES AND FLOCKS

Live poultry, such as chickens, ducks, geese, and turkeys, often carry harmful germs such as *Salmonella*. While it usually doesn't make the birds sick, *Salmonella* can cause serious illness when it is passed to people.

HANDWASHING PROTECTS YOU FROM GERMS



- Always wash your hands with soap and water right after touching live poultry or anything in the area where they live and roam.
- Adults should supervise hand washing for young children.
- Use hand sanitizer if soap and water are not readily available.

HANDLE BIRDS SAFELY



- Children younger than 5 years, adults older than 65 years, and people with weakened immune systems should not handle or touch chicks, ducklings, or other live poultry.
- Do not bring chicks, ducklings and other live poultry to schools, childcare centers, or nursing homes.
- Do not snuggle or kiss the birds, touch your mouth, or eat or drink around live poultry.

SAFELY CLEAN COOPS

- Clean any equipment used to care for live poultry outside, such as cages or feed or water containers.
- Set aside a pair of shoes to wear while taking care of poultry and keep those shoes outside of the house.



POULTRY BELONG OUTSIDE

- Do not let live poultry inside the house, especially in kitchens.
- Do not let live poultry in areas where food or drink is prepared, served, or stored.



U.S. Department of
Health and Human Services
Centers for Disease
Control and Prevention

Have a Backyard Flock? Don't Wing it.
Visit www.cdc.gov/features/salmonellapoultry
for more information

DOCUMENT 5

BEEKEEPING and APIARIES

REGISTRATIONS ARE REQUIRED
TO DEMONSTRATE THAT THE
CRITERIA ENCLOSED HAVE BEEN
MET. PLEASE VISIT THE CENTRAL
PERMIT FACILITY TO OBTAIN
MORE INFORMATION.

Central Permit Facility
500 W. Winchester Rd.
Libertyville, Illinois 60048

Phone: 847-377-2600
Fax: 847-984-5608
E-Mail: lcpermits@lakecountyil.gov



BEEKEEPING and APIARIES

Honey bees may be kept as an accessory use on residentially zoned lots in the Agricultural, Rural Estate, Estate, R1, R2, R3, and R4 zoning districts. Two full beehives and two "nucleus hives" are permitted on lots up to and including 10,000 square feet of area, and one beehive and one nucleus hive are permitted for each additional 10,000 square feet. Nucleus hives, consisting of five or fewer frames, are kept for the purposes of queen and pest management.



Maintenance:

-  **Requeening and Hive Management**
 - ☆ If the hive exhibits unusually aggressive characteristics, as verified by an Illinois Apiary Inspector, the property owner must destroy, move to another parcel, or requeen the hive within fourteen (14) days of observation.

-  **Water Supply**
 - ☆ A supply of water must be continuously available and located closer than water sources on any adjoining parcel. Water must be available from April 1 – Nov. 30 or any and all days in which temperature exceeds 55 degrees for 3 consecutive days.

-  **Moveable Combs**
 - ☆ All honey bees shall be kept in hives with removable combs, which must be kept in good repair and usable condition.



Per the Illinois Department of Agriculture, hives shall be registered with the Illinois Department of Agriculture and actively maintained in accordance with 510 ILCS 20/1 et seq. the Illinois Bees and Apiaries Act. See <http://www.agr.state.il.us/programs/bees/beekeep.pdf> for more information.

Screening and Notification:

Setbacks:

-  **Property Lines**
 - ☆ Hives and related structures that form the apiary must be at least 10 feet from property lines and at least of 30 feet from any adjoining improved road right-of-way or transportation easement.
-  **Neighboring Structures**
 - ☆ Apiaries must be at least 30 feet away from existing structures on any adjoining parcel, such as dwellings, non-residential buildings, patios, decks, swimming pools, or permanently affixed play equipment, but not including storage structures such as garages or sheds.

-  **Fencing and Signage**
 - ☆ On parcels of 40,000 square feet or less, hives must be either enclosed behind a minimum four-foot high fence, hedge, or wall, or be identified with appropriate signage. The sign(s) must be reasonably visible within close proximity of the apiary.
-  **Flyway Barrier**
 - ☆ If the beehive entrance is oriented to an exterior property line, on a parcel of 40,000 square feet or less, a flyway barrier (e.g. solid fence, wall, or dense shrub) is required. The six foot tall flyway barrier must be located between the hive entrance and the property line and extend five feet in each direction.

WBEZ Chicago
On Air Now



WBEZ CHICAGO
NPR CHICAGO

DONATE

LIVE RADIO

SHOWS



The Salt

Honeybees Help Farmers, But They Don't Help The Environment

LISTEN · 2:50

PLAYLIST

Download

Transcript

January 27, 2018 · 8:21 AM ET

Heard on Weekend Edition Saturday



DAN CHARLES



Nigel Raine keeps a collection of wild bees in his laboratory at the University of Guelph, in Canada. Farmed honeybees can compete with wild bees for food, making it harder for wild species to survive.

Dan Charles/NPR

Honeybees are amazing and adorable, and they suffer when people spray pesticides or mow down wildflowers. We've heard plenty in recent years about collapsing bee colonies.

So Jonas Geldmann, at the University of Cambridge, says he understands how the honeybee became a symbol of environmental conservation.

But he still doesn't like it.

"Lots of conservation organizations are promoting local honey, and even promoting sponsorships of honeybees and that kind of stuff, and that increasingly annoyed me," he says.



THE SALT

Pesticides Are Harming Bees — But Not Everywhere, Major New Study Shows

It annoyed him because the honeybee is perhaps the one type of bee that we should worry about the least. Honeybee hives aren't natural, and they don't help the environment. In fact, they may harm it.

There are thousands of bee species. Almost all of them live in the wild, hiding away in the ground or in odd cavities, like hollow plant stems. They play a vital role in the ecosystem, pollinating flowering plants. Many are in peril; some species have disappeared.

Researcher Nigel Raine has a whole array of wild bees impaled on pins in his laboratory at the University of Guelph, in Canada. Many are tiny. Raine says that gardeners often assume they're flies. "If you sit down and say, 'No, that's a small, solitary bee; that's a metallic green one' — when you show them a metallic green bee in their yard, they say, 'Wow! That's amazing!'"

And then there's the honeybee: originally imported from Europe, raised and managed by beekeepers in order to make honey or to pollinate crops like almonds. It's an agricultural animal, in the same way that sheep and cattle are.

Article continues below



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When flowers are abundant, there is plenty of pollen for both honeybees and their wild cousins. But in many landscapes, or when an orchard stops blooming, farmed honeybees can compete with wild bees for food, making it harder for wild species to survive.

Basically, a healthy environment needs bees — but not honeybees, Geldmann says. This week, he published a commentary in the journal *Science* trying to spread the word to a wider audience. "The way we're managing honeybees, in these hives, has nothing to do with nature conservation," he says.

Scientists who study bees already understand this. But they struggle with how to talk to the public about it.

"We're on a learning curve, all of us," says Marla Spivak, at the University of Minnesota, one of the country's most prominent bee researchers. "It's like honeybees were the portal — the door to much larger issues, conservation issues in general."

Concern for honeybees helped more people understand why it's important to have more land covered with wildflowers and trees — and free from pesticides, Spivak says. Such a landscape is good for both honeybees and wild bees.

"My preference is not to pit one bee against another," Spivak says. "I would prefer to live on a planet where there are bountiful flowers to support all of our bees."

But the bee that needs our help the most may be that tiny green bee in your garden and not the honeybee.

wild bees honeybees bees

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FOOD

This Fearless Woman Is Fighting To Keep Slavery Out Of Your Seafood

Municipality	Does your community regulate temporary/seasonal structures, such as canvas (quick assembly) gazebos and tents, used for recreational purposes on residential lots?	Please list these types of structures	Do they require a building permit?	Does your municipality have regulations regarding the size, height, setbacks, and design (materials, colors) of these temporary/seasonal structures?	What is the maximum size permitted?	What is the maximum height permitted?	What yards are these structures allowed in?	What are the setback requirements, if applicable?	Are there any other requirements?	What is the specific basis for categorizing these structures into temporary/seasonal recreational structures, as opposed to permanent recreational structures (e.g., time period; method of attachment to the ground; foundation; materials, etc.)?	How long are these structures allowed to remain installed?	How many temporary/seasonal structures are permitted per lot?	Does your Code have a definition of "temporary/seasonal recreational structure" or similar? If so please attach this definition.	Please attach applicable Code sections pertaining to temporary/seasonal recreational structure regulations.
Antioch	Yes.	Any temporary structure in excess of 120 square feet	Yes.	Yes.	N/A.	18'		N/A.	See attached.	Time Period.	Less than 180 days.		See attached.	See attached.
Arlington Heights	No.													
Barrington	No.			No.										
Buffalo Grove	No.			No.						N/A.	N/A.	N/A.	N/A.	N/A.
Carpentersville	No.			No.						Not addressed in the Municipal Code.	Not regulated.	Not regulated.	None.	None.
Cary	No.			No.									No.	
Deerfield	No.													
Des Plaines	Yes.	Tents.	Yes. If 10 x 20 or larger a permit is required.	Yes.	N/A.	35' (max height for single family residential structure)	Must comply with setback requirements of district.	R-1 is Front - 25'; Side - 5'; Rear - 25'		Time period.	No tent shall be allowed to remain for a period of more than two days longer than the period during which the use with which it is associated is allowed to remain or, in the absence of any such period, ten days.	No Limit.		See attached.
Glencoe	Yes.	All structures (tent, canvas, arbors trellis, etc. up more than 48 hrs. required to meet zoning requirements + a permit.	Yes.	No on design. Yes - same as any other structure required to meet zoning.	All accessory structures - max 6% of lot area.	18 ft roof midpoint + F.A.R.	Same as other accessory limits buildings. 1) Rear half of lot 2) 10 ft. from other buildings 3) side & rear setbacks as per zoning	Usually 5 ft. in rear 8', 10', 12' or more. District on side yards.	Mainly zoning + F.A.R. limits.	N/A.	N/A.	See #2 limits on zoning not on # of accessory structures.	No as all structures treated the same in zoning code.	Zoning code online www.golencoe.com
Grayslake	Yes.	Tents, Fallout shelters, gazebos, canvas.		No				For real estate trailers, 30 feet is the required setback from the right of way.	Permanent structure is with a foundation.	It depends on type of structure: Tents-no more than 15 days, Seasonal Sale of Farm Produce - not more than 6 months a				See attached.
Highland Park	No.									Tents such as the ones used for weddings are temporary and are usually removed in days. Other buildings and structures are regulated.	It has never been an issue.	Not regulated.		
Inverness	No.			No.										
Palatine	No, not for Residential properties.													
Park Ridge	Yes. See attached Reference Section 10.4 of the Zoning Ordinance.	Yes. See attached.	Yes. See attached.	Yes. See attached.	Yes. See attached.	Yes. See attached.	Yes. See attached.	Yes. See attached.	Yes. See attached.		Yes. See attached.	Yes. See attached.	No.	Yes. See attached Reference Section 10.4 of the Zoning Ordinance
Streamwood	No.													
Wilmette	Yes.	See ordinance.	Yes, it depends: see tent ordinance.	No.						No specific: see temporary use list attached.	Max 6 months; any time has to be approved by Village Board.	No limit in code: per approval by Village Board.	See attached.	See attached.

ORDINANCE 2018-045

PASSED: AUGUST 27, 2018

REVISING CHAPTER 6 "STREETS, ALLEYS AND SIDEWALKS", BY ADDING SECTION 6.20-5 "VEGETATION AND MANAGED NATURAL LANDSCAPE", AND AMENDING CHAPTER 12 "NUISANCES", SECTION 12.01 "NUISANCES DECLARED", SUBSECTION 22 "WEEDS", OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS, FOR THE PURPOSE OF ALLOWING PLANNED NATURAL LANDSCAPING WHILE PROHIBITING UNCONTROLLED GROWTH OF VEGETATION.

WHEREAS, the City of DeKalb is a home rule Illinois municipal corporation, with the power and authority granted to it under the Illinois Constitution of 1970, the Illinois Municipal Code, and the City Code of Ordinances; and

WHEREAS, the City of DeKalb currently maintains Chapter 6 "Streets, Alleys and Sidewalks", and Chapter 12 "Nuisances", of the City Code and wishes to adopt certain revisions to said Code; and

WHEREAS, the City has determined that adoption of such revisions is in the best interests of the public, and preserves the public health, welfare, safety and morals;

THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. City Code Section 6.20-5, Vegetation and Managed Natural Landscape is hereby adopted as follows:

6.20-5 VEGETATION AND MANAGED NATURAL LANDSCAPE

- a) Purpose. It is the purpose of this Section to prohibit the uncontrolled growth of vegetation, while permitting the planting and maintenance of Planned Natural Landscaping that add diversity and richness to the quality of life. There are reasonable expectations regarding the proper maintenance of vegetation on any lot or parcel of land. It is in the public's interests to provide standards regarding the maintenance of vegetation because vegetation that is not managed can decrease the value of nearby properties and threaten the public health and safety. It is also in the public's interest to encourage diverse landscaping treatments, particularly those that encourage the preservation, restoration, and management of native plant communities, which can be economical, low-maintenance and effective in soil and water conservation. The City enacts this Section to balance these competing interests.
- b) Definitions. Whenever the following words or terms are used in this Section 6.20 they shall be construed to have the following meanings:
 - 1. Planned Natural Landscaping means a planned, intentional and maintained planting of plants, grasses and/or groundcovers, rain gardens and bioswales, or shrubs and/or trees. Planned Natural Landscaping does not include any species

of turf grasses and is not intended to allow a property owner to ignore yard care duties nor to allow for unmowed/unmaintained areas to be deemed naturalized.

2. Garden means a cultivated area dedicated to growing any combination of fruits or vegetables in a well-defined and well-maintained location.
3. Landscape Beds mean cultivated areas with a defined and maintained border which contains plants that are intentionally planted, cultivated and maintained. Plantings may include native or non-native ornamentals, trees and/or shrubs. Allowable groundcovers include tilled earth, crushed stone, gravel, mulch or vegetative groundcovers or other groundcovers acceptable to the Community Development Director or designee.
4. Lot Lines means the edge of a property. The "front lot line" is presumed to be coincident with the edge of sidewalk furthest from the roadway. In the absence of sidewalk, the "front lot line" is presumed to be 10 feet off the back of curb, or in the absence of curb, 10 feet from the edge of pavement. Property owners may request the City approve an alternate measurement for "lot lines" for the purposes of this Ordinance and subject to the approval of the Community Development Director.
5. Rain Garden means a plant garden that is designed not only to improve properties aesthetically, including bioswales, but also to enhance infiltration or reduce the amount of storm water and accompanying pollutants that may enter streams, rivers, lakes, or other bodies of water.
6. Turf Grasses mean grasses commonly used in regularly cut lawns or play areas and include bluegrass, fescue or rye grass blends or any other similar grasses.
7. Unmanaged Plant Growth means any grass, hay, weeds, brush, volunteer trees or similar vegetation which has grown to a height of more than eight (8) inches, but does not include planted and cultivated plants located:
 - (a) in gardens,
 - (b) in landscape beds,
 - (c) on agricultural land (which is zoned for such use, taxed at the rate applicable to agricultural use, and actively utilized in commercial agricultural production, with a minimum size of not less than ten acres),
 - (d) adjacent to streams, rivers, lakes or detention ponds, when within areas that are defined on approved plans as being naturalized,
 - (e) within steep slopes (greater than 3:1), ditches and drainage ways that include steep slopes or which have been approved by the City for utilization of plantings for sediment control or erosion protection, and delineated wetlands, and

(f) in planned natural landscape areas that are in compliance with the standards in this ordinance and which are wholly contained within the parcels on which they are planted and maintained, and

(g) within areas owned and operated by the State of Illinois or a unit of government.

c) Planned Natural Landscaping

1. Planned Natural Landscaping Guidelines:

(a) In order to establish Planned Natural Landscaping areas, turf grass shall be completely eliminated, and the plants, trees and shrubs included in the planned natural landscaped area shall be planted through transplanting or seeding by human or mechanical means.

(b) Residential Standards (Illustrated in Exhibit A):

i. Setbacks:

a. Two (2) feet from front lot lines when adjacent to a public sidewalk and zero (0) feet from front lot lines when there is no public sidewalk.

b. Two (2) feet from rear and side lot lines and 0 feet from rear and side lot lines when the lot lines abut forests or other open-space use areas that are lawfully not regularly mowed or maintained.

c. The setback areas may include regularly cut turf grass, low-growing (not greater than eight (8) inches) sedges, regularly maintained garden and landscape beds, intentionally planted and maintained trees, shrubs, hedges, mulch, wood chips or commercial landscaping materials, such as stones or bricks. Plants, shrubs or other vegetation must be maintained in a manner that does not obstruct or interfere with public or private sidewalks or other access points.

The foregoing standards are outlined in the attached Exhibit A, which is incorporated herein by reference.

ii. All plants, excluding trees and shrubs, in Planned Natural Landscaping and located in a front yard shall not be taller than 24 inches.

iii. City of DeKalb Municipal Code Chapter 6, "Streets, Alleys and Sidewalks" Section 6.19 and 6.20 shall also govern plantings in the parkway and the more restrictive of this ordinance or those ordinances shall govern.

iv. Planned Natural Landscaping must allow a three-foot wide access route to utility meters, valve boxes, vaults, grates, and other utility structures for access by service personnel. The access route should be regularly cut turf grass, mulch, wood chips or commercial landscaping materials, such as

stones or bricks, which permit ready access by utility crews or first-responders.

- v. Planned Natural Landscaping less than 24 inches high is allowed within a five-foot radius of a private mailbox.
 - vi. No landscaping, including but not limited to Planned Natural Landscaping may alter, relocate, or otherwise modify the drainage of surface waters, sump pump discharges, gutter drainage or any other form of surface, manmade or subsurface drainage without a drainage permit or completion of a full site review process in accordance with City Code.
 - vii. Planned Natural Landscaping shall be mechanically cut to a maximum height of eight inches at least once annually. Burning shall not be allowed.
- (c) Commercial/Industrial Standards: Areas that are zoned Commercial/Industrial may include Planned Natural Landscaping as approved in site plans for any given parcel. Site plans shall meet the Residential Standards as a minimum, unless specific exemptions are provided in the approved plans.
- (d) Farmland: Areas that are zoned for use as farmland, which are at least five acres in size, which are recognized on County tax rolls as being utilized for farmland, and which are actively in use as productive farmland (i.e., the property is used for the purpose of growing a commodity) shall be permitted to have naturalized ditches, waterways, filter strips and similar areas, with grasses not exceeding three (3) feet in height, provided that such areas are periodically (at least semi-annually) mowed to a height of not greater than eight (8) inches.

d) Unmanaged Plant Growth

1. A person owning, occupying, or controlling any lot or property shall mechanically cut down and remove any plant growth that is not in compliance with this ordinance (or other applicable City codes), and shall otherwise maintain such land in accordance with the requirements of this ordinance and other applicable City codes.
2. The presence of turf grass in excess of eight inches in height shall be a *per se* violation of this Ordinance.
3. If a person neglects to cut and/or remove unmanaged plant growth as required under paragraph 1. of this section or otherwise violates any provision of this ordinance or any other ordinance regulating plantings or property maintenance, the City shall have the option to enter upon the premises and cut down and remove the unmanaged or non-compliant plant growth or cause it to be cut down and removed. The cost of cutting down and removing the growth shall be a debt due and owing from the owner and occupants of the property (jointly and severally) and shall be a lien against the property (along with any costs incurred in recording, enforcing or collecting such costs).

e) Control of Noxious Weeds

1. It shall be unlawful to maintain or permit to grow any weeds prohibited by the Illinois Noxious Weed Law (505 ILCS 100/) within the corporate limits of the City of DeKalb. Property owners and occupants have an affirmative duty to remove such weeds.

Section 2. City Code Section 12.01, Nuisances Declared, is amended with the revision of subsection (22) as follows:

22. Weeds. To permit the growth upon any premises in the City of any noxious weeds, ~~such as buckthorn, bull nettle, burdock, Canada thistle, cocklebur, curled dock, dodders, field bindweed, giant foxtail, hoary cress, jimson weed, johnson grass, leafy spurge, ox-eye daisy, perennial sow thistle, quack grass, ragweed, Russian knapweed, sweet clover, wild carrot, wild garlic, wild mustard or like weeds;~~ or to permit any weeds, grass or plants, other than trees, bushes, flowers or other ornamental plants to grow to a height exceeding eight (8) inches anywhere in the City, or to permit any premises to become grown up with weeds and brush so that the same become injurious to the health of the community.

Section 3. All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

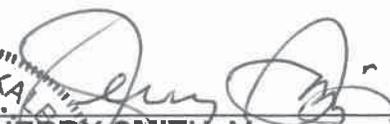
Section 4. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 5. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: August 28, 2018. Effective date: September 6, 2018.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 27th day of August, 2018 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None.

ATTEST:

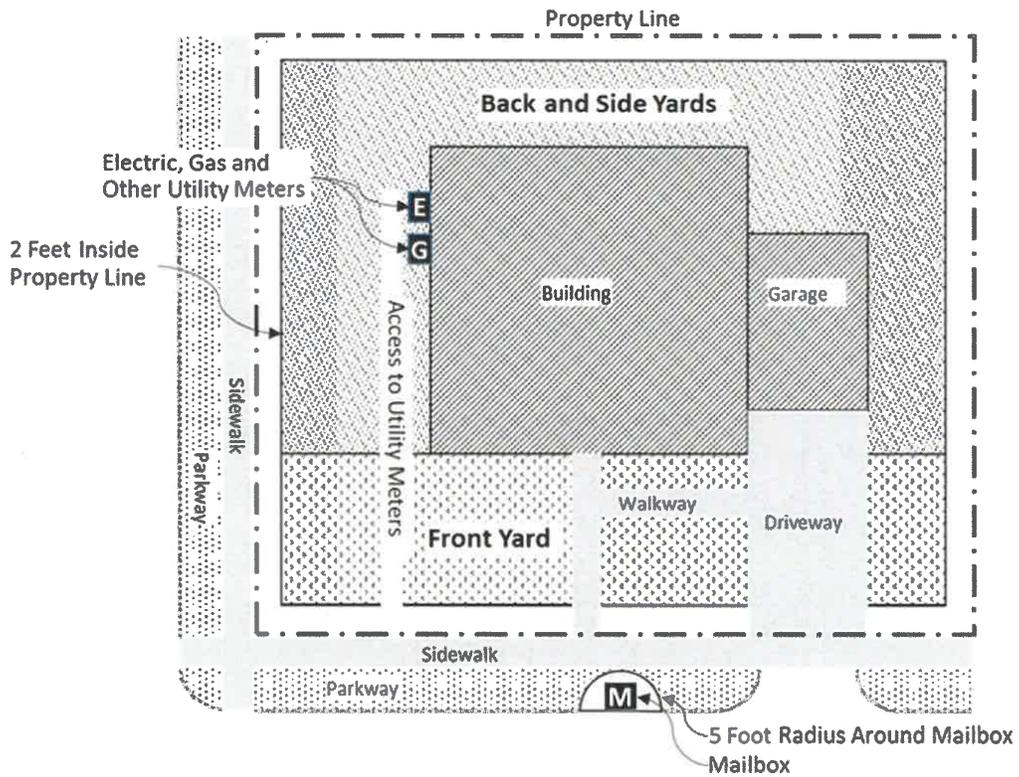

LYNN A. FAZEKAS, City Clerk


JERRY SMITH, Mayor



Managed Landscape Ordinance - Reference Drawing of Typical Corner Property

Note: Dimensions and proportions may not be indicative of the actual residential lot



KEY

 Parkway	 Front Yard	 Building or Garage
 Driveway, Walkway, or Sidewalk	 Back and Side Yards	 Property Line



ITEM SUMMARY

Reviewing Body:	Committee of the Whole
Meeting Date:	January 27, 2020
Subject:	Personnel Policy Manual Update – Harassment
Petitioner:	Village of Lincolnshire
Action Requested:	Consideration of Proposed Amendments to the Village of Lincolnshire Personnel Policies pertaining to Sexual Harassment
Prepared By:	Brad Burke – Village Manager
Staff Recommendation:	Consideration and Placement on the February 10, 2020, Regular Village Board Consent Agenda for Approval
Budgeted Amount:	N/A
Actual Amount:	N/A
Level of Service Impact:	N/A
Tentative Meeting Schedule:	N/A
Reports and Documents Attached:	1) Proposed ordinance adopting the recommended amendments is attached

Background

Illinois Public Act 101-0221 (Public Act) adopted in August 9, 2019 created new obligations for Illinois municipalities pertaining to sexual harassment. The Public Act requires units of local government to adopt an ordinance or resolution amending sexual harassment policies to provide reporting protocols and independent review of allegations of sexual harassment made against an elected official of the governmental unit by another elected official of the governmental unit. Some local governments may have existing policy language covering these claims, but those that do not are required to adopt an ordinance or resolution amending their policy to cover claims between elected officials. This action should be taken by February 10, 2020

As a result of the State requirement, Village Attorney Simon and staff recommend the language below be added to Chapter 3 of Village’s Employee Handbook pertaining to Discrimination, Harassment and Sexual Harassment policies. Suggested changes are intended to limit Village exposure and bring Village policies in line with changes in the law.

Elected Officials

Any allegation of harassment by an elected official against another elected official may be reported to the Mayor. If the Mayor is the person making the allegation or is the person alleged to have committed the harassment, then the report may be made to any other Trustee. Complaints should be submitted in writing with as much detail as possible regarding the nature of the incident(s) and who is responsible for the alleged harassment, when the incident(s) occurred, where the incident(s) occurred, whether or not the incident(s) were witnessed and by whom and whether or not there is any physical evidence (video, audio, text, email, social media etc.) that needs to be identified and preserved. While there is a preference for complete and detailed written complaints,



all complaints, including verbal complaints, will be thoroughly investigated. Upon receipt of an allegation of harassment pursuant to this policy, the person to whom the report is made shall immediately refer the complaint to the Village Attorney for review. The Village Attorney shall then appoint a qualified independent attorney or consultant to review and investigate all allegations set forth in the complaint.

ORDINANCE NO.

**ORDINANCE AMENDING TITLE 1-6-1
OF THE LINCOLNSHIRE VILLAGE CODE
(Employee Handbook)**

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Lincolnshire, Lake County, Illinois, that Title 1-6-1 of the Lincolnshire Village Code is hereby amended as set forth in Exhibit "A" attached hereto and made a part hereof by reference thereto. Except as revised by the aforesaid Exhibit "A", the Employee Handbook adopted May 12, 1997 and amended shall remain in full force and effect.

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

PASSED this ____ day of _____, 2020, by a majority vote of the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor of the Village of Lincolnshire this ____ day of _____, 2020.

Elizabeth J. Brandt
Mayor

ATTEST:

Barbara Mastandrea
Village Clerk

EXHIBIT A



Reviewing Body:	Committee of the Whole
Meeting Date:	January 27, 2020
Subject:	Use of North Park for Promotional Purposes
Action Requested:	Consideration and Discussion of a Request by the Lincolnshire Sports Association (LSA) to Use North Park for sponsorship by Audi Exchange of Highland Park, IL for 2020 Summer Slam Baseball Tournament (Lincolnshire Sports Association)
Prepared By:	Bradford H. Woodbury – Public Works Director
Staff Recommendation:	Consideration and discussion.
Budgeted Amount:	Not applicable
Actual Amount:	Not applicable
Level of Service Impact:	Not applicable
Meeting History:	Park Board – January 20, 2020
Tentative Meeting Schedule:	Regular Village Board – February 10, 2020
Reports and Documents Attached:	1) SmashSMARD information-Nash Stineman 2) Title 8 (Public Ways & Property), Chapter 1 (Village Parks) of the Lincolnshire Village Code 3) Map Detailing Vehicle Parking Locations

Background

- At the January 20, 2020, Park Board meeting, Zach Fell, representing the Lincolnshire Sports Association (“LSA”), presented an idea to allow the Audi Exchange of Highland Park, Illinois to be a co-sponsor of the 2020 Summer Slam Tournament. Summer Slam is an annual baseball tournament coordinated by LSA at North Park. The 2020 dates for the tournament are June 24 - June 28.
- The Park Board voted unanimously to conditionally approve the sponsorship, pending Audi Exchange’s provision of necessary insurance information and a full review of the sponsorship from the Village Attorney, per [Village Code Section 8-1-5-H](#). The Park Board expressed interest in allowing this sponsorship given the potential monetary benefits to community organizations that would receive the sponsorship funds.

Project Description

- LSA requests 6-8 Audi vehicles parked at North Park during the 2020 Summer Slam tournament. In exchange for the vehicle sponsorship opportunity, Audi Exchange would donate \$7,500 to the tournament. The funding would be utilized as follows:
 - 40% - dedicated to “Smash SMARD” to benefit 3-year-old Lincolnshire resident Nash Stineman. SMARD is an acronym for “Spinal Muscle Atrophy with Respiratory Distress”.
 - 40% - dedicated to the Riverside Foundation, a Lincolnshire organization providing residential support and development for adults with intellectual and development disabilities.
 - 20% - dedicated to LSA travel baseball.
- LSA chose these foundations due to their close affiliation with Lincolnshire-Prairie View School District 103, as well as the LSA committee’s desire to give back to the travel baseball program in Lincolnshire.



- Per [Village Code Section 8-1-5-H](#), “[n]o individual, organization, or entity of any kind shall use the Village’s park, facilities park, Natural Areas, Nature Preserves, and/or other property in the course of, as part of, ancillary to, or in support of any for-profit activity, commerce, service, business, or enterprise, regardless of whether a profit actually materializes.”

Staff Recommendation / Conditions

- Staff recommends the Village Board conditionally approve the sponsorship pending the Village Attorney’s review of Village Code Section 8-1-5-H and terms of the sponsorship.



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Meet Nash

From Illinois

Age: 2

I always knew that I had a greater purpose in life. I always knew I wanted to make a difference. I always knew I had a lot more to learn, see, overcome. What I didn't know, is that my children would be the path to finding my way despite the many forks in the road. What I didn't know is how much I would truly learn from my them.

On October 4, we were told that genetics wanted to have a meeting with us at noon. They provided childcare for Blake and had someone to stay with Nash so Bobby and I could sit in a room with our care team from Cincinnati Children's Hospital. In the room, was the Geneticist, his fellow, the attending physician in the PICU, the PICU fellow, a social worker, nurse and the 2 of us.

We sat down, and exchanged a few jokes before we got to business. The geneticist started off the meeting saying, "I have never seen this before." I was CERTAIN that it was Mitochondrial in nature, so before he could say anything I cut him off, and asked, "MNGIE (Mitochondrial Neuro- Gastrointestinal Encephalopathy)?" Something I had been suspicious of based on Nash's presentation of failure to thrive and other signs he had shown. His response, was "no." It felt like a year went by, to finally hear him say,

"SPINAL MUSCULAR ATROPHY WITH RESPIRATORY DISTRESS TYPE 1."

Shot in the heart by the words I thought I could never handle. Bobby grabbed my hand, and Dr. Kaplan (the PICU attending who I ABSOLUTELY ADORE) jumped out of

her seat to sit next to me, hold my hand, rub my back and cried with Bobby and myself. I asked how could it be possible? I have h under the sun, which includes SMA? Well, we quickly found out that Nash does not have SMA.

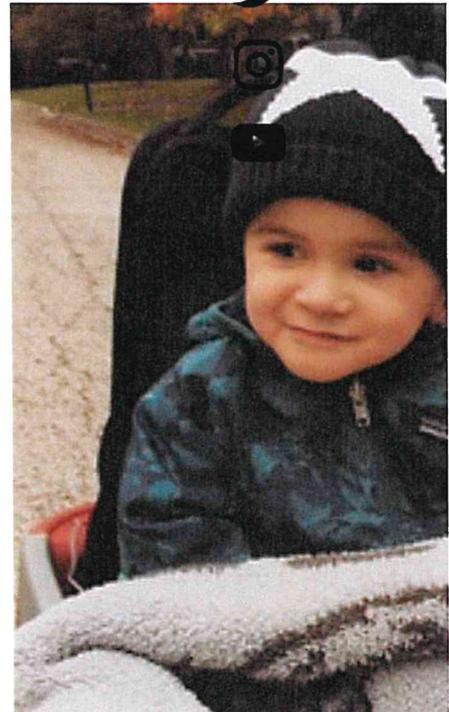
He proceeded to explain to us, that after looking at Nash's blood and comparing it to mine and Bobby's blood, that we all have a IGHMBP2 gene. Statistically, we are 500 times more likely to win the lottery than to meet someone with this mutation, marry that child with them. Who would have thought that you would be so incompatible with the person that you are most compatible with? together since we were 14- is this what brought us together? Logially- NO, but what the hell?!

He then explained to us that this version of SMA is MUCH different than the other traditional kind of SMA, and that the progressio happens up until the child is 2 years old. After that, there is a plateau, or an improvement in the disease thereafter. That being sa never be "normal" in comparison to his peers. To date, there are only 100 cases of this in medical literature making this one of the the world. Ironically, the same day we received the diagnosis, another family heard the same words earlier THAT DAY!

Life interrupted, but beautifully. Here I am embracing the diagnosis I never thought I could handle. Believe it or not, that was the since hearing the diagnosis. It's funny how much control you can have over your life, but the things that are most important and sp become vulnerable to being out of control. Another important lesson learned.

Now, as far as Nash goes, here is what we have learned, here is our plan and here is the prognosis. Most importantly, don't goog because the literature is SO outdated, and inaccurate.

We have learned A LOT about this disease, thank goodness for Facebook. Obviously, the first thing I did was find a SMARD1 Face understand what this VERY SMALL patient population looks like. What I have learned, is that there is a MAJOR spectrum. There a relatively consistent- wheelchairs, tracheostomies, cognitive ability and A LOT of REALLY HAPPY HAPPY KIDS AND FAMILIES. Th that remain inconsistent- physical ability and the road ahead.





friends through this group, in fact, we got the chance to FaceTime with his 7 year old buddy, Nate! Nash has his tracheostomy with his friends, being in class with his cousin, and what he likes and dislikes about having SMARD. Nash says, "I love it. His mom, Annie Green, asked him an awesome question, which was, "If you could give Nate's response was "happy." Nash smiled belligerently at the phone talking to Nate the entire time. We see their outcome has been really reassuring- obviously we can't predict the future but Nash's future if it is anything like Nate's!

Our plan is to take each day as it comes. Nash has been a bit of what the doctors like to call a "medical conundrum" in his presentation. He has a respiratory failure because of his left diaphragm now failing (his first one failed back in June- which is when we had the procedure). A loss of function of their distal muscles prior to diagnosis as well. Nash has a foot drop, but does have full function of his legs and hands. Many can't extubate after having procedures, and Nash has managed to do that 6 times. Many can't fight simple respiratory infections, able to pull through septic pneumonia with a collapsed lung and rhino enterovirus.

In the meantime, the fear of the unknown of what lies ahead leaves us with an important decision to make- When will Nash get his procedure to be performed while Nash is at his strongest to preserve his strength that he does have. He is also on nocturnal ventilation with a Full Face Mask.

Moving forward, Bobby (my husband) and I remain DESPERATELY committed to research and a cure. We have been working with in our support group to help facilitate research and funding. We have solidified an institution- Nationwide Children's Hospital- to do gene therapy, which has proven promising results in mouse models. Gene therapy has proven to be successful by injecting a virus called AAV9 vector. They inject a healthy copy of the gene attached to the common cold virus. Historically (and I am talking recent) gene therapy has only been FDA approved for 2 diseases, which makes me really nervous but excited at the same time. I will be committed and energy to raising money to facilitate progress so that Nash can live life to his maximum potential. I have included links to the information about the disease below.

Right now, we don't have a clear picture as to what we can expect because Nash's presentation is a bit out of the ordinary. What I hope for is that this sweet baby remains happy, with a permanent smile on his face. We are devastated by the diagnosis, but so thankful in the meantime, we are praying to raise as much money as humanly possible to help with finding a cure. One of the aspects of research that is important is that this disease is entirely underdiagnosed, and that many babies who die of SIDS are in fact dying of this disease. Because young, and genetics are not tested in an autopsy, the affected population remains underreported because they are passing prior to result, I would like to push (if possible) for this to be a part of prenatal genetic screening and for genetics to be a part of an autopsy finding a cure.

The past 18 months have been exhausting, amazing, heartbreaking, reassuring, high and low. My life has certainly been put into perspective like I am finally going to have the chance to fulfill my purpose that I always knew I had. Everyone keeps asking me how I am holding up and my answer is because I have 2 beautiful children to live for- what is my other option? Sit and cry about Nash's disease while he smiles HELL NO, I will not allow his disease to destroy me, him, Blake or Bobby and will continue to spend my energy keeping Nash and Bobby while getting him the best care possible. I will never ask myself, "why us" because quite honestly I know the answer- that we were a family. I do not want pity and sorrow, but encouragement and positivity. With our family, friends and support group we do know how to live the best life possible!

Quick Links

- SMARD Information
- Newly Diagnosed
- Our Mission
- Take Action
- Events
- Donate Now

Contact

Phone: 773-751-9010
 E-Mail: smard@smashsmard.org
 Address: 3 Londonderry Lane
 Lincolnshire, IL 60069

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Email*

and employees of the Village in the course of Village Business.

- E. It shall be unlawful for any person to feed any wildlife at any Village Park, Natural Areas or Nature Preserve. This would include but not be limited to: geese and ducks. The provisions of this section shall not apply to officers, agents and employees of the Village in the course of Village Business.

Any person who violates this provision shall, upon a finding of guilty, be fined at cost as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code.

- F. It shall be unlawful for any person to remove any natural thing from the Natural Areas of any of the Village Parks, Natural Areas or Nature Preserves: this would include but not be limited to wood, plants, etc. The provisions of this section shall not apply to officers, agents and employees of the Village in the course of Village Business.
- G. It shall be unlawful for any person to burn wood found in any of the parks. Anyone found in violation of this prohibition shall be fined at cost as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. The provisions of this section shall not apply to officers, agents and employees of the Village in the course of Village Business.
- H. No individual, organization, or entity of any kind shall use the Village's park, facilities park, Natural Areas, Nature Preserves, and/or other property in the course of, as part of, ancillary to, or in support of any for-profit activity, commerce, service, business, or enterprise, regardless of whether a profit actually materializes.
- I. No park, Natural Areas, Nature Preserve or other property of the Village shall be used for assembling people, for loading and/or unloading buses, vans or other vehicles of any type or description, or for any other purpose in the course of or ancillary to or in support of any activity, commerce, service, business, or enterprise organized or intended to be for profit, including private camps, entertainment, and sporting organizations, regardless of whether a profit actually materializes, except as a concessionaire under license issued by, or contract with, the Village or any other provider of materials or services under a contract with, or license or permit issued by the Village.
- J. No individual, organization, or entity of any kind seeking to earn or produce a profit, including private camps and entertainment and/or sporting organizations, shall provide or purport to provide a person or persons, regardless of age, with the Village's parks, park grounds, fields, courts, facilities, buildings or other amenities, including parking areas, for such person or persons to use, when a price or fee is charged, or as part of a product, service or course of conduct for which a charge, fee or price is asked and/or received in commerce, or to provide camp,

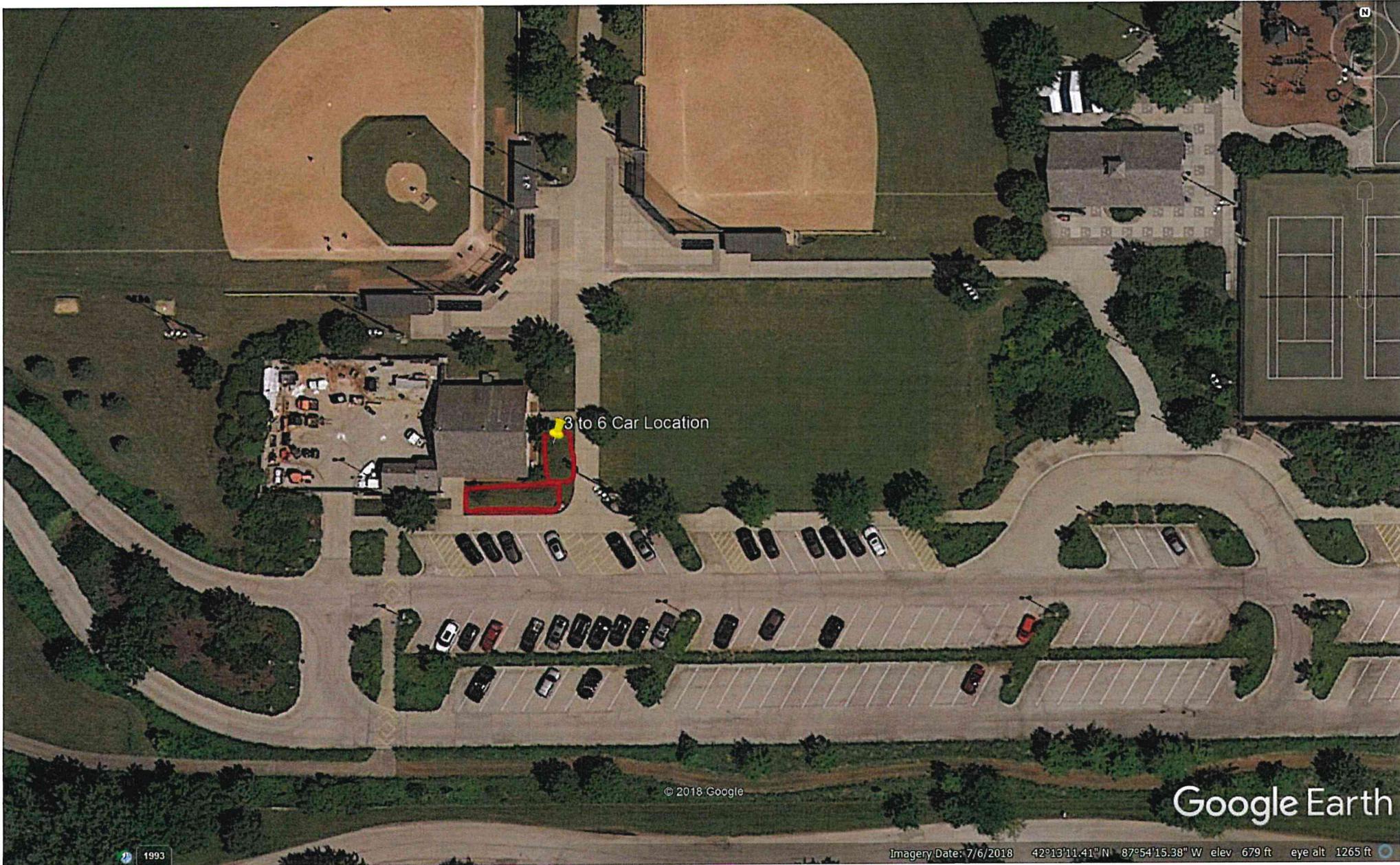
entertainment and/or sporting activities, except concessionaires providing items of food and/or drink under a concession license or contract with the Village or any other provider of materials or services under a contract with, or license or permit issued by the Village.

- K. Each person using the Village's parks, park facilities, Natural Areas, Nature Preserves, and other property in violation of this Ordinance or park rules as posted in the parks, shall constitute the commission of an offense and each day on which it occurs shall additionally be considered a separate offense. A penalty for each such offense shall be imposed upon each individual, organization, or entity of any kind who commits, knowingly allows, or knowingly benefits in the course of its business or commerce from said violation or violations of this Ordinance. If more than one individual, organization, or entity, such as a bus company or driver, act in concert by contract or otherwise to commit an offense under this Ordinance, a penalty may be imposed on each offender separately without regard to any penalty imposed on the other or others under the terms of this section.
- L. It shall be unlawful for any person to bring a pet or animal, including dogs, into any of the village parks, park facilities, Natural Areas, or Nature Preserves. The penalty to be assessed at a cost as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. The provisions of this section shall not apply to officers, agents and employees of the Village in the course of Village Business.
- M. Any individual, organization or entity shall be required to comply with park, Natural Areas or Nature Preserve rules and regulations and all applicable Village ordinance as stated in this section and as posted in any Village park.

Any person violating any provision of this Chapter, or rules or regulations as posted in any Village Park, Nature Preserve or Natural Areas shall be fined in accordance with the applicable section of the Village Code or Illinois Compiled Statutes, for each violation. This penalty shall not be exclusive, but rather, the Village reserves the right to any and all other remedies as may be available under law or equity. (Ord. 82-704-11)(Ord Amd. 99-1649-33, eff. 6/14/99)(Ord. Amd. 99-1665-49, eff. 7/12/99) (Ord. Amd. 03-1832-09, eff. 3/10/03)(Ord. Amd. 04-1897-13), eff. 5/10/04)(Ord. Amd. 09-3078-01, eff. 1/12/09)

8-1-5: Rules:

- A. It shall be unlawful for any person to violate park rules as posted in the parks. (Amd. Ord. 07-2982-10, eff. 4/23/07)



3 to 6 Car Location

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Google Earth

Imagery Date: 7/6/2018 42°13'11.41" N 87°54'15.38" W elev 679 ft eye alt 1265 ft

1993