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PERMIT APPLICATION FOR RESIDENTIAL POULTRY
**A drawing of the rear yard, depicting location and size of coop and/or pen,
must be submitted with this application.**

Property Address: _____ Phone: _____

Property Owner/Applicant: _____

Number of Poultry: _____ Coop size (sq ft): _____ Outdoor Pen Size (sq ft): _____

Distance from side property line: _____ Distance from rear property line: _____

Distance from structure: _____

I certify that to the best of my knowledge this application is complete. I further certify that I have read the below regulations that I understand the requirements set forth therein, and that I will comply with the same. I further understand that failure to comply with the same may result the Village requiring the removal of Poultry and related improvements.

Poultry coops or pens shall not be closer than ten (10) feet from any property line or an adjacent property, nor shall they be closer than forty (40) feet from any residential structure. All pens and coops must be located in the backyard of the poultry owner's property. Maximum pen size shall be sixty (60) square feet.

Applicant(s) Signature

Date

Village of Germantown Zoning Administrator Approval:

Zoning Administrator

Date

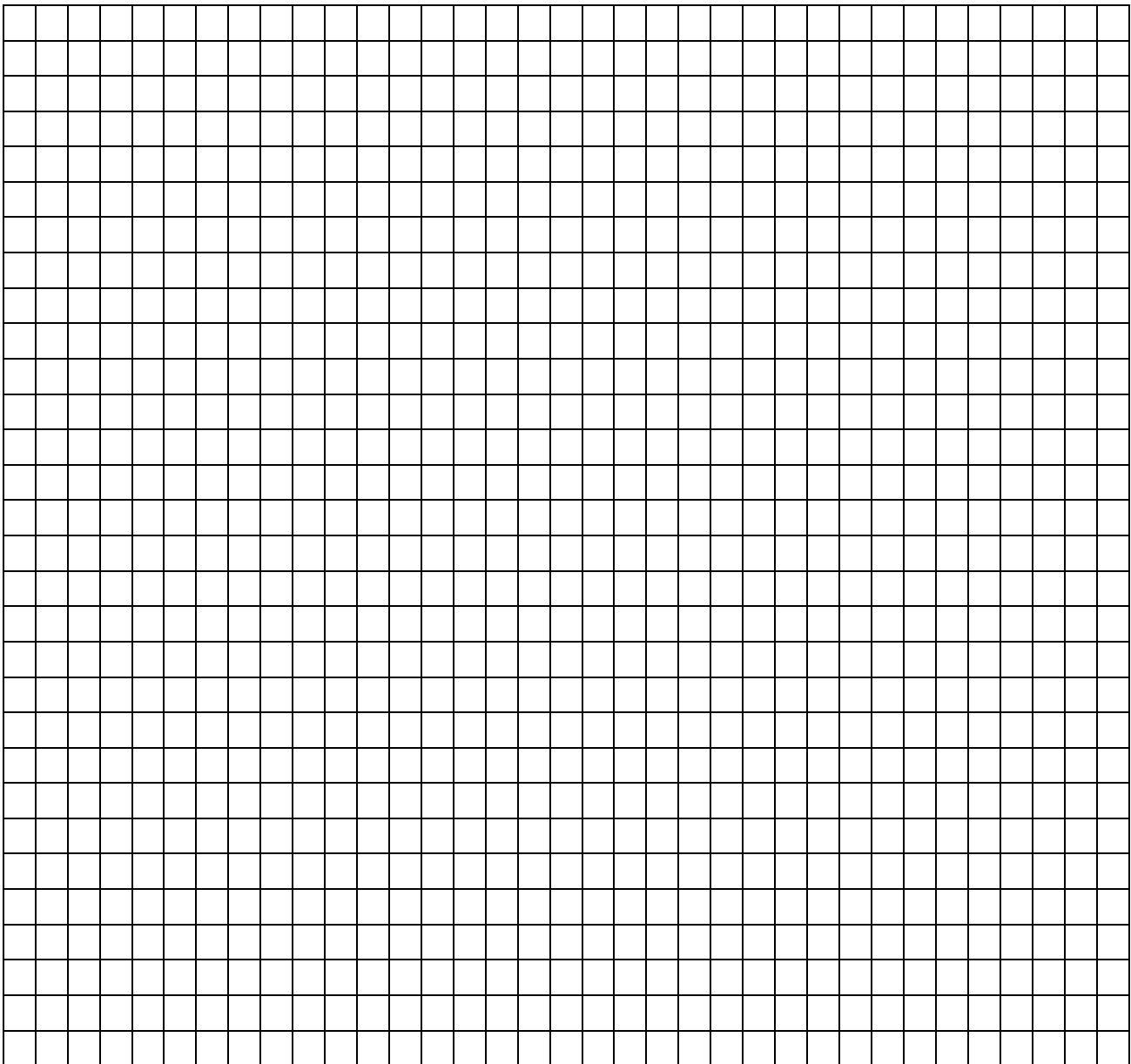
SITE PLAN

A site plan must be attached or drawn below at a scale large enough for clarity showing the following information:

- a. Location and dimensions of: lot(s), coop/pen.
- b. Distance between: buildings and front, side, and rear lot lines; principal building and coop/pen on adjacent lots.
- c. Any additional information as may reasonably be required by the Zoning Administrator and applicable sections of the Village Zoning Code.

**PROPERTY PINS MUST BE LOCATED, MARKED AND VISIBLE TO THE ZONING ADMINISTRATOR
BEFORE BUILDING PERMIT IS ISSUED!**

SCALE: 1 square = _____



ARTICLE IV – POULTRY

3-4-1 DEFINITIONS. Whenever the following words or phrases are used, they shall, for the purposes of this Article, have the meaning ascribed to them in this section, except when the context otherwise indicates:

(A) Poultry. Domesticated fowl, limited for the purposes of this Article to turkeys, geese, ducks and chickens.

(B) Coop. A structure housing poultry, consisting of a covered inside enclosure.

(C) Pen. An enclosure connected to a coop for the purposes of allowing poultry to leave the coop while remaining in an enclosed, predator-safe environment.

3-4-2 LIMIT ON AMOUNT AND TYPE OF POULTRY.

(A) No owner or owners or keepers of poultry shall own or keep more than six (6) poultry per residence.

(B) No owner or owners or keepers of poultry shall own or keep a rooster, tom, drake or gander.

3-4-3 CONFINEMENT.

(A) All poultry kept in the Village shall be entirely confined in a pen, coop, building, or other enclosure at all times.

(B) All poultry shall be provided a secure coop that is well ventilated, roofed, and lockable. All coops must also be enclosed on all sides, with a roof and door(s). All coop floors must be kept in a clean and sanitary condition.

(C) All pens and coops shall not be located closer than ten (10) feet from any property line or an adjacent property, nor shall they be closer than forty (40) feet from any residential structure.

(D) All pens and coops must be located in the backyard of the poultry owner's property.

(E) All enclosures, including pens and coops, keeping poultry shall be constructed and/or repaired to prevent mice, rats and other rodents from being harbored underneath, within or within the walls of the enclosure, pen, or coop.

(F) Maximum pen size shall be 60 square feet.

3-4-4 MISCELLANEOUS REGULATIONS.

(A) Poultry feed must be stored in a tightly covered container.

(B) Poultry shall only be allowed in the R-1 district.

(C) Poultry shall be for personal use only and not for commercial activities.

(D) Odors from poultry, poultry manure, and other poultry substances shall not be perceptible at the property boundaries of the property where poultry are kept, and it is hereby declared a nuisance and shall be unlawful for any person to allow such a nuisance to exist.

(E) No person shall allow poultry to provide noise loud enough to annoy or disturb the comfort, health, peace or repose of reasonable persons of ordinary sensibilities, and it is hereby declared a nuisance and shall be unlawful for any person to allow such a nuisance to exist.

(F) All waste materials, including but not limited to, feed, manure and litter shall be disposed of in an environmentally responsible manner.

(G) Nothing in this Article shall be construed to permit the keeping of chickens when such activity is prohibited by private covenants, conditions or restrictions covering the use of property. The Village is not responsible for the enforcement of private covenants.

(H) Nothing in this Article shall preempt any provisions of the Zoning Code of the Village of Germantown.

3-4-5 **LICENSE AND PERMIT REQUIRED.** No person shall keep poultry within the Village without first obtaining a license therefor issued by the Village after obtaining a building permit as provided for herein.

3-4-6 **REVOKED.**

3-4-7 **LICENSE AND PERMIT PROCESS.**

(A) An applicant for a license for the keeping of poultry or for a building permit for any pen, coop, building or other enclosure used for the housing of poultry must submit the following to the Zoning Administrator:

1. Completed applications on forms provided by the Village.
2. A current plat of survey accurately depicting the potential location of the proposed structure housing poultry on the applicant's property.

(B) A license for the keeping of poultry and a building permit for a structure for the keeping of poultry shall not be granted unless the applicant can show proof that a proposed structure that complies with all provisions of this chapter will be erected.

(C) A license for the keeping of poultry and a building permit for a structure for the keeping of poultry shall not be transferrable or run with the land and shall terminate and become invalid upon the licensee no longer occupying the property for which the license and permit were issued.

(D) All applicants are required to grant the Zoning Administrator the authority to inspect the applicant's premises after the application has been filed, and at any time the licensee has poultry on his/her premises.

3-4-8 **SUSPENSION OR REVOCATION.** In addition to any other penalty which may be authorized by this chapter or other Village ordinances, the Zoning Administrator may suspend or revoke any license issued pursuant to this chapter for:

(A) Failure of the licensee to comply with any provisions of this chapter, any other applicable ordinances, the laws of the state, federal laws or other applicable legal requirements; or

(B) Finding that the licensee knowingly furnished false or misleading information or withheld relevant information in any application for a license for the keeping of poultry or for a building permit for any structure for the keeping of poultry.

3-4-9 SUMMARY SUSPENSION. Where the Zoning Administrator presents to the Village President sufficient evidence demonstrating probable cause to believe that the licensee has violated the provisions of this chapter or the laws of the United States or the state, and that said violation will immediately threaten the public health, safety or welfare, the Village President may, upon the issuance of a written order stating the reason for such conclusion, and without prior notice or hearing, order the licensee structure for the keeping of poultry closed and the license summarily suspended pending a public hearing and a determination on suspension or revocation. Such hearing shall be commenced not more than seven (7) days following the entry of such an order, unless the licensee shall agree to a longer period of time. The procedure for such a hearing or any appeal with respect thereto shall be as otherwise provided in this chapter. Upon entry of an order of summary suspension, the licensee shall be served with a copy of the order and notice of violation and a hearing in the manner provided by this chapter.

3-4-10 NOTICE OF HEARING. Except as provided in Section 3-4-9 of this chapter, prior to suspension or revocation of a license under this chapter, the licensee shall be notified in writing of the nature of the violation(s) and an opportunity for a hearing which will be provided if a written request for a hearing is filed with Zoning Administrator by the holder of the license within ten (10) days. If a written request is filed within ten (10) days, a hearing date shall be set within ten (10) days of receipt of the request. If no written request for a hearing is filed within ten (10) days, the suspension or revocation shall be sustained.

3-4-11 HEARING. As provided in this chapter, a hearing shall be conducted by the Zoning Administrator or his/her designee affording the licensee an opportunity to appear and defend the charges. The Zoning Administrator shall make a final decision in writing, including the reasons for such decision, and shall serve such decision on the licensee within ten (10) days after the conclusion of the hearing.

3-4-12 APPEAL.

(A) Any person aggrieved by the action or decision of the Zoning Administrator to deny, suspend or revoke a license applied for or issued under the provisions of this chapter shall have the right to appeal such action or decision to the Village Board within ten (10) days after the notice of action or decision has been mailed to the licensee's address as shown on the license application form, or to the licensee's last known address.

(B) An appeal shall be taken by filing with the Zoning Administrator a written statement setting forth the grounds for appeal.

(C) The Zoning Administrator shall transmit the written statement to the Village President within ten (10) days of its receipt and the Village President will set a time

and place for a hearing on the appeal. The Village President may designate an authorized representative to conduct such hearing.

(D) A hearing shall be set not later than thirty (30) days from the date of receipt of the appellant's written statement.

(E) Notice of the time and place for the hearing shall be given to the appellant in the same manner as provided for the mailing of notice of action decision.

(F) The Village President shall service a decision on the licensee within ten (10) days after the conclusion of the hearing on such appeal.

3-4-13 REMOVAL OF STRUCTURE. Structures housing poultry including any pens, coops, buildings or enclosures shall be removed upon a licensee no longer keeping poultry, upon a licensee no longer occupying the property for which a license for the keeping of poultry was issued or upon a licensee for the keeping of poultry having been revoked.

3-4-14 PENALTY. Any person convicted of a violation of this Article shall be subject to the general penalty as described in Section 1-1-20 of this Code.