



**City of Wilmington  
Ordinance & Licensing Committee  
Tuesday, September 13, 2016 at 6:00 p.m.**

**Location & Time**

Council Chamber  
Wilmington City Hall  
1165 S. Water Street  
6:00 p.m. 09/13/2016

**Ordinance & Licensing  
Committee Members**

Steve Evans, Co-Chair  
Kirby Hall, Co-Chair  
Larry Hall  
Fran Tutor  
Kevin Kirwin

**Agenda**

1. Call to Order
2. Approval of the July 12, 2016 Meeting Minutes
3. New Business
  - a. Review Liquor License Wine Bar Definition
  - b. Review of Sample Ordinances ó Allowing Chickens / Restricting Chickens
  - c. Informational Review of 91.06 – *Maintenance of rights-of-way or boulevards adjacent to property*
4. Adjournment

*Posting Date  
9/9/2016 12:28 PM jjz*

**CITY OF WILMINGTON  
ORDINANCE & LICENSING COMMITTEE  
Tuesday, July 12, 2016, 6:00 p.m.  
Wilmington City Hall, Council Chambers  
1165 S. Water Street**

**In Attendance**

**Committee Members**

Co-Chair, Alderman Kirby Hall  
Alderman Fran Tutor  
Alderman Larry Hall  
Alderman Kevin Kirwin

**Absent**

Co-Chair, Alderman Steve Evans

**City Officials**

Executive Secretary Joie Ziller

**The meeting of the Ordinance & Licensing Committee was called to order at 6:00 p.m. by Alderman K. Hall.**

**Previous Meeting Minutes – June 14, 2016**

The minutes were reviewed. **Alderman L. Hall made a motion and Alderman K. Hall seconded to accept the June 14, 2016 Committee meeting minutes as written and have them placed on file.**

**Upon voice vote, THE MOTION CARRIED, 4 yes**

**New Business**

**1. Review/Approve *An Ordinance Establishing Membership on the Planning & Zoning Commission***

The Committee reviewed and discussed the draft ordinance as prepared by Attorney Urban. The changes are:

Rewove / Add ó 151.03-Members and Terms of Office-The city planning and zoning commission shall consist of ~~eight~~ **seven (7) members**, six who are residents of the city of Wilmington, and ~~two~~ **one (1)** who may be from Wilmington, Wesley or Florence Township who reside not more than one and one-half miles beyond the corporate limits and not included within any other municipality, who will serve respectively for the following initial terms: one for one year, one for two years, one for three years, one for four years, one for five years, one for six years and one for seven years, ~~and one for eight years~~ with the successor to each member initially appointed serving for a term of five years. The term of office for each commissioner shall begin on May 1 of the year of appointment and shall conclude on April 30 of the year the term of appointment concludes or thereafter until their successor is duly appointed and qualified. ~~The mayor of the city may serve as a member of the planning and zoning commission.~~ The terms

of any current member of the city zoning board of appeals and the city plan commission shall automatically terminate and cease on the effective date of this chapter.

**Action Taken: Alderman L. Hall made a motion and Alderman Tutor seconded to waive the first and second readings and bring this ordinance for full vote by the City Council at the July 19, 2016 City Council meeting.**

**Upon voice vote, THE MOTION CARRIED, 4 yes**

**2. Review/Approve *An Ordinance Repealing Certain Provisions of the City of Wilmington Code of Ordinances***

The Committee reviewed and discussed the draft ordinance as prepared by Attorney Urban. This ordinance will repeal the need for city stickers, motorcycle tags and animal tags. Each Aldermen gave their opinion on why to keep this revenue stream in place and also why to eliminate the program. After much discussion the following motions were made:

**Alderman Tutor made a motion and Alderman Kirwin seconded to approve to move this ordinance to the July 19, 2016 Finance, Administration and Land Acquisition Committee meeting in order for all the Alderman to have an opportunity to discuss this topic as a whole.**

**Upon voice vote, THE MOTION TIED, 2 yes by Aldermen Tutor & Kirwin and 2 nays by Aldermen K. Hall and L. Hall**

**Alderman L. Hall made a motion and Alderman Kirwin seconded to table this ordinance until the next Ordinance & Licensing in August.**

**Upon voice vote, THE MOTION PASSED, 3 yes and 1 no by Aldermen Tutor**

**Adjournment**

**With no further business before the Committee, Alderman K. Hall made a motion and it was seconded by Alderman Tutor to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting was adjourned at 6:36 p.m.**

Respectfully submitted,

Joie Ziller  
Executive Secretary

**CLASSIC wine bar– A stand-alone venue that has:**

1. A minimum of 20 selections of wine or champagne available by the glass;
2. A minimum of 100 wines available by the bottle;
3. Food service is only small plates and must include bar seating;
4. Dining area cannot be part of a full service restaurant;
5. Dining area cannot have tablecloths.

**BISTRO wine bar – A CLASSIC wine bar integrated with bistro or café.**

Includes bistro menu and food service, but no tablecloths.

**RESTAURANT wine bar – A full services restaurant with a CLASSIC wine bar area.**

If a wine bar that meets CLASSIC requirements but also offers or is attached to a full food service restaurant then their listing will be identified with a special flag or icon.

**TRADITIONAL wine bar** -- This is more than the CLASSIC definition above. It is the true or pristine wine bar is usually a smaller and informal venue than what is presented in the US marketplace. One of the classic definitions . typically in Europe. is the small very focused wine bar that rotates offerings from specific vineyards and has local recipes (plat du jour) to match.

WINE OR VINOUS BEVERAGES:	Any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or "spirits", as defined herein.
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#### 90.102 - Prohibited animals.

It shall be unlawful for any person to keep any animal other than those customarily used as pets unless such animal shall be certified in writing as safe by a licensed veterinarian and such animal shall be given a rabies shot if there is a possibility of rabies. In no event shall any person or family keep or maintain more than two such animals.

- (A) Any person seeking to keep any animal not otherwise permitted under the provision of this chapter may apply for a variation from this section. The variation may be granted by the mayor and city council for such time and under such conditions as the city council may deem proper, providing that the board shall find that the granting of such variation would:
  - (1) Not substantially impair the value of surrounding property;
  - (2) Would not detrimentally affect the public health, safety, morals and welfare;
  - (3) Would not cause injury to the animals proposed to be kept;
  - (4) Would not alter the character of the neighborhood or result in a public or private nuisance.
- (B) An applicant for variance shall:
  - (1) Not less than seven days nor more than 30 days prior to the date set for consideration by the city council, serve written notice either in person or by first class mail on the last known taxpayers and/or property owner or owners of record as reflected in the county records of all property within 250 feet in each direction of the location for which the variance is requested; provided, however, the number of feet occupied by all public roads, streets, alleys or other public ways shall be excluded in computing the 250 foot requirement; and
- (C) The variation shall be granted by resolution of the mayor and city council.
- (D) If a petition objecting to the proposed variation is signed by 20% of the property owners within 250 feet and presented to the city council, no such variation shall be granted except by a two-thirds vote of the corporate authorities.

(Ord. 1511, passed 2-18-03; Ord. 1556, passed 6-3-03)

#### 90.103 - Number of animals.

It shall be unlawful for any person to keep more than four animals over four months of age on his or her property. This section shall not apply to persons who are licensed to engage in the business of pet shop operator, kennel operator or animal shelter.

(Ord. 1511, passed 2-18-03; Ord. 1556, passed 6-3-03)

## O R D I N A N C E

BE IT ORDAINED BY THE CITY OF CHICAGO CITY COUNCIL OF:

SECTION 1. A new Chapter 7-12-380 of the Municipal Code of the City of Chicago is hereby added by striking out certain language and adding new language as follows:

7-12-380 ~~Reserved~~: Restrictions on Chickens and Roosters

For the purpose of this section only, the following definitions apply:

“chicken” shall mean a female **gendered** domesticated fowl (hen) of the subspecies Gallus gallus domesticus.

“rooster” shall mean the male **gender** of the subspecies Gallus gallus domesticus.

“coop” shall mean an enclosure or a cage **consisting of four (4) walls, a roof and a floor** with adequate ventilation and appropriate access and egress, designed in such a way as to provide safe and healthy living conditions to house chickens

Except as otherwise specifically permitted or prohibited by this Municipal Code, chickens shall only be allowed to be kept as pets or for purposes of producing a limited, non-commercial amount of eggs under the following conditions:

- (a) A maximum of six (6) chickens with a minimum of four square feet per chicken shall be kept in residential areas zoned no higher than R-2 and on a lot size of no less than 5,000 square feet.
- (b) Chickens shall be **concealed from street view** and kept in an enclosure or fenced area at all times.
- (c) Each chicken shall be kept in a coop after sundown.
- (d) Each coop shall be constructed in such a way as to be impenetrable by vermin or other predators so as to provide adequate protection for the chickens and their eggs
- (e) Each coop and enclosure shall be kept in clean, dry, odor-free and sanitary condition at all times.
- (f) Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be rendered unavailable to rodents, other birds, vermin and other predators.
- (g) Odors from chickens, chicken manure or other substances related to chicken keeping shall not be permitted to be perceptible beyond the boundaries of the property on which chickens are kept.
- (h) Any stored manure shall be contained in a fully enclosed bin or structure. No more than three (3) cubic feet of manure may be stored on any residential property. All other manure not used for composting or fertilizing shall be removed.
- (i) All chicken enclosures and coops shall be kept free of trash **and accumulated droppings**. Uneaten feed must be removed in a timely manner.
- (j) Roosters shall not be permitted to be kept on properties zoned as residential.

SECTION 2. This ordinance shall be in full force and effect 60 days **[after?]** its passage and publication.

Village of Coal City, IL  
Thursday, September 8, 2016

## Chapter 91. Animal Regulations

### Article II. Other Animals

#### § 91-38. Poultry or animal yard restrictions.

- A. It shall be unlawful to maintain in the Village any poultry or animal yard within 75 feet of any building used for residence property by anyone other than the one maintaining such poultry or animal yard or his or her immediate family; within 75 feet of any public way other than an alley; or within 100 feet of any church or school building.
- B. For the purpose of this section, "poultry or animal yard" includes every enclosure, shed, or structure used to house one or more live fowl, including in the term "fowl" chickens, ducks, geese, turkeys, and other poultry, or one or more cattle, horses, sheep, goats, rabbits, or other domestic animals.
- C. Every poultry or animal yard shall be adequately maintained so as to be impenetrable by rats or other rodents. The presence of any rats in any poultry or animal yard shall be prima facie evidence that the yard is maintained in violation of the provisions of this section.

91.06 - Maintenance of rights-of-way or boulevards adjacent to property.

- (A) It shall be the duty of every owner of real estate to mow and maintain the adjacent right-of-way or boulevard to such real estate. It shall also be the duty of every owner of such real estate to properly dispose of the products and results of such mowing and maintenance.
- (B) The term "mow" shall mean mowing, the prompt and regular cutting or trimming and keeping cut and trimmed, grass and weeds to a height of not more than four inches. The term "maintain" shall mean removal on a prompt and regular basis all litter as defined in Chapter 98 of the Wilmington City Code.

(Ord. 1141, passed 2-4-92)