

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE MEETING
September 28, 2020**

PRESENT: Alderman Thomas Belczak -Chairman, Alderman Eric Gustafson,
Alderman Joseph Kenny, Mayor Joe Marchese, Dan Gombac – Director, Joe
Hennerfeind – Senior Planner, Elizabeth Lahey - Secretary

ABSENT: None

ESTABLISH QUORUM

Chairperson Thomas Belczak called the meeting to order at 7:00 p.m. at City Hall Council Chambers, Darien, Illinois and declared a quorum present.

NEW BUSINESS

a. Ordinance – Approval to amend Title VII of the Darien City Code, “Health and Sanitation.”

Mr. Dan Gombac, Director reported that an increasing number of residents want to raise chickens and bees in urban environments as a hobby as they may believe this method of raising chickens for food may be safer or less expensive. He reported that Darien currently does not regulate the keeping of chickens and bees on residential property, but it is subject to general nuisance rules.

Mr. Gombac reported that the City has been receiving calls asking if raising chickens or bees is permitted. He reported that these inquiries prompted the City Council in August to consider an ordinance developed specifically to regulate raising chickens or bees.

Mr. Gombac reported that at the August 17th City Council Meeting, two residents spoke on the subject as well as staff spoke to two residents that are adjacent to one of the fosters who both commented on privacy screening requirements.

Mr. Gombac reported that a proposed model ordinance regarding the fostering of chickens and bees is provided in the agenda memo for consideration as well as an updated matrix of various municipalities regarding the fostering of chickens and bees. He reported that in addition, staff provided resident and non-resident correspondence received regarding chicken and bee fostering.

Mr. Gombac read the proposed ordinance in detail. Alderman Kenny questioned how slaughtering would be enforced.

Mr. Joe Hennerfeind, City Planner reported that staff will enforce by complaint but reported that the raising of chickens is not for meat but only for eggs.

Chairperson Belczak opened the meeting to anyone in the audience wishing to present public comment.

Ms. Melissa Harvatt, Darien, stated that she was an owner of hens and lives on Seminole. She stated that she appreciated staff's effort to craft an ordinance and that she would abide by the ordinance.

Ms. Heather Conray, Darien, stated that she lives on Wilcox and currently has 5 chickens. She thanked the City for crafting an ordinance but questioned the \$25 permit fee and that chickens should be treated the same way for dogs and cats.

Mr. Jim Harvatt, Darien, stated that he lives on Seminole and has built a coop. He stated that he prides himself on what he has done and that everyone loves the chickens but request that the City soften the permit process as you would a dog or cat.

Ms. Marie Freidag, Darien, stated that she lives next door to Melissa and Jim Harvatt. She stated her complaints regarding flies, smells and the harmful bacteria from chickens. Ms. Freidag submitted her written response to the Committee for the record.

Ms. Karen Smith, Darien, stated that she has been a resident for 51 years and that the coops are not cleaned. She stated that Melissa had a rooster at one point and that she also has a pan for people to drop off food for their chickens. Ms. Smith stated that a privacy fence should be required.

A Darien resident stated that he drove passed a coop in Darien and it is an eyesore and that he would not like to live near one or live with the smell.

Mr. Jim Dardy presented a petition from the neighbors affected by the coop. He stated that an 8-foot privacy fence is needed, and the coop should be 20 feet from the property line.

Alderman Joe Kenny stated that he received correspondence from over 20 residents against a chicken ordinance. He stated that he would have a difficult time approving.

Alderman Eric Gustafson stated that he too received a good portion of residents in his Ward against the chicken ordinance. He stated that he would like to see more distance to the lot line. He questioned if there would be an inspection done prior to permit approval.

Mr. Gombac reported that there would be an inspection prior to approval. He stated that if approved, checks would be done periodically but it would be done on a complaint basis.

There was a question regarding rental properties.

Mr. Gombac reported that the owner of the property would have to sign off.

Chairperson Belczak stated that Darien has no ordinance in place and that the City is looking for something beneficial for both sides and meet somewhere in the middle. He stated that the number of chickens is a concern and that 4 chickens is more than enough and in line with dogs and cats limited to 3. Chairperson Belczak also stated that he would like to see a 6-foot privacy fence and that the permit should model one like a shed. He further stated that penalties should also be in place.

The Committee agreed to the following changes under 2. Requirements; Permit, Fees & Penalties:

- A maximum of four (4) hens shall be permitted.
- All hens shall be kept within a coop consisting of a covered enclosure/structure with an attached covered/enclosed outdoor area to prevent hens from encroaching onto neighboring properties. If heat is used, all electrical must be UL approved.
- An outdoor area minimum of ten square feet per hen will be required and a maximum of 150 total square feet will be permitted for both the covered enclosure/structure and outdoor area and total height of a coop may not exceed seven feet.
- All enclosures/structures shall be located a minimum of 20 feet from all lot lines.
- Remove (h.) All chicken coops shall require an approved 6 foot screening barrier, located on three sides of the coop, within 5 feet from the coop and consisting of a solid privacy fence or 6 foot high arborvitae spaced in zigzag pattern as not to allow any portion of the coop to be seen. As an alternative, perimeter fencing around the entire yard – 6-foot high fence shall satisfy the screening requirement.
- Require a 6-foot high privacy fence around the entire yard.
- Require a hen permit by the City with a fee of \$25 shall be required and a \$10 renewal permit each year thereafter.
- A hen permit issued shall be revoked upon the commission of 3 violations and the coop will need to be removed with applicant option to return in a year.

There was no one else in the audience wishing to present public comment.

Alderman Belczak made a motion to approve an Ordinance to amend Title VII of the Darien City Code, "Health and Sanitation" for chicken keeping. There was no second.

Upon voice vote, the MOTION WAS DENIED with a vote of 1-2.

Belczak – Yes

Kenny, Gustafson – No

Mr. Gombac reported that this will be forwarded to the City Council and will be under New Business at the October 5, 2020 meeting prohibiting chickens and modifying conditions.

Chairperson Belczak stated that he did not have any issues with bee keeping.

Alderman Kenny stated that he was not in favor of bees in Darien.

Alderman Gustafson stated that he did not receive any comments regarding bees.

Mr. Hennerfeind reported that he received a complaint regarding 45 hives which was reduced to 30 and with consistent complaints.

There was no one in the audience wishing to present public comment.

Alderman Belczak made a motion, and it was seconded by Alderman Gustafson to approve an Ordinance to amend Title VII of the Darien City Code, "Health and Sanitation" for Hobby Beekeeping.

Upon voice vote, the MOTION CARRIED with vote of 2-1.

**Belczak, Gustafson – Yes
Kenny – No**

Mr. Gombac reported that this will be forwarded to the City County under New Business at the October 5, 2020 meeting.

b. Minutes – July 20, 2020 Municipal Services Committee

There was no one in the audience wishing to present public comment.

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of the July 20, 2020 Municipal Services Committee Meeting Minutes.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY.

DIRECTOR'S REPORT

Mr. Gombac reported that staff is working on the landscape feature at Plainfield and Cass.

NEXT SCHEDULED MEETING

Chairperson Belczak announced that the next meeting is scheduled for Monday, October 26, 2020.

ADJOURNMENT

With no further business before the Committee, Alderman Gustafson made a motion, and it was seconded by Alderman Belczak to adjourn. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:30 p.m.

RESPECTFULLY SUBMITTED:

**Thomas Belczak
Chairman**

**Eric Gustafson
Alderman**

**Joseph Kenny
Alderman**