

ORDINANCE NO. 26-04

**AN ORDINANCE REVISING THE DUNLAP VILLAGE CODE
TO REGULATE CERTAIN ANIMALS AND
PROHIBIT CERTAIN WILD ANIMALS IN THE VILLAGE**

WHEREAS, the Village Board seeks to clarify the provisions of the Village Code addressing animals that are prohibited from being kept, possessed, or housed on property within the Village to ensure the health, safety, and security of residents and property owners in the Village; and

WHEREAS, the Village Board seeks to permit the raising and keeping of chicken hens on property within the Village under limited conditions as provided herein; and

WHEREAS, the Village Board seeks to permit the raising and keeping of non-breeding rabbits on property within the Village under limited conditions as provided herein; and

WHEREAS, the Village Board hereby declares that it is a public nuisance to maintain an animal in the Village in violation of the provisions of this Ordinance, as maintaining an animal in the Village in violation of the provisions of this Ordinance endangers and otherwise disrupts the health, safety, and security of residents and property owners in the Village; and

WHEREAS, the Village Board hereby finds that it is in the best interests of the Village to update the provisions in the Village Code regarding animals kept, possessed, or housed within the Village as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DUNLAP, PEORIA COUNTY, ILLINOIS, THAT:

Section 1. Section 4 (Penalties for Violations) of Chapter 1 of Title 5 of the Dunlap Village Code is hereby re-numbered as Section 5 (Penalties for Violations) of Chapter 1 of Title 5 of the Dunlap Village Code (Section 5.01.05).

Section 2. New Section 4 is hereby added to Chapter 1 of Title 5 of the Dunlap Village Code as follows:

5.01.04 - Certain Animals Prohibited in the Village.

- A. Except for property within the Village zoned as “A – Agricultural District” and except as provided in subsection B or C of this section, it is unlawful for any person to own, possess, keep or permit within the village any of the following

animals: horses, cattle, sheep, ponies, mules, goats, pigs, swine, hogs, ducks, geese, chickens, roosters, ostriches, emus, bees, rabbits, foxes, minks, skunks, or any other hoofed animal or poultry not herein specifically mentioned, any undomesticated feline, canine or ursine animal, any wild animal, or any other undomesticated, wild or vicious animal potentially injurious to mankind.

B. Chicken hens may be kept within the corporate limits of the Village, but only after obtaining an animal use permit from the Village for the property where the chickens will be kept and subject to the following procedures and limitations:

1. Any person desiring to keep chickens in the Village must first receive an animal use permit under subpart E of this Section the Dunlap Village Code.
2. No more than five (5) female chickens (hens) may be kept on any zoning lot, which shall include any adjacent property with common ownership.
3. No roosters shall be kept within the Village.
4. Chickens shall at all times be confined within an enclosure constructed and located in a manner consistent with the application for the permit to keep the chickens.
5. The area of any enclosure used for the purpose of housing chickens, including any outdoor runs and coops which must be completely enclosed by wire mesh, or other suitable material as determined by the Village, shall not exceed 100 square feet.
6. Any enclosure housing chickens shall be subject to regulations governing the location of accessory buildings under the Zoning Code
7. All chickens shall be maintained in a clean, healthy, and sanitary condition.
8. No person shall allow the accumulation of any waste material resulting from the keeping of chickens which creates any offensive odor or nuisance.

C. Rabbits may be kept within the corporate limits of the Village, but only after obtaining an animal use permit from the Village for the property where the rabbits will be kept and subject to the following procedures and limitations:

1. Any person desiring to keep rabbits in the Village must first receive an animal use permit under subpart E of this Section the Dunlap Village Code.
2. No more than two rabbits may be kept on any zoning lot.
3. Rabbits shall not be bred within the Village.

4. No person shall slaughter rabbits within the Village.
 5. Rabbits shall at all times be confined within an escape-resistant enclosure.
 6. Any enclosure housing rabbits shall be subject to regulations governing the location of accessory buildings under the Zoning Code.
 7. Rabbits and enclosures housing rabbits shall at all times be maintained in a clean and sanitary condition.
 8. No person shall allow the accumulation of any waste material resulting from the keeping of rabbits which creates any offensive odor or nuisance.
- D. To the extent that there is a conflict between the provisions of this Section 5.01.04 of the Dunlap Village Code and any other provisions of the Dunlap Village Code or other provisions of this Chapter 1 of Title 5 of the Dunlap Village Code, the provisions of this Section 5.01.04 shall govern and supersede those provisions of the Dunlap Village Code.
- E. Animal Use Permit. Any person desiring to keep chickens or rabbits in the Village shall first file for and receive an animal use permit from the Village before keeping, possessing, or housing the chickens or rabbits in accordance with the following provisions.
1. The person desiring to keep chickens or rabbits in the Village shall file an application for an animal use permit with the Village providing the following information:
 - a. The name of the applicant and the applicant's contact information, including phone number and email address.
 - b. The name of the owner of the premises where chickens or rabbits are proposed to be kept.
 - c. The number of chickens or rabbits to be kept on the premises.
 - d. A site plan showing the location on the premises of the facilities housing the chickens or rabbits including the distances from adjacent property lines and adjacent structures.
 - e. A description of the facilities which will house the chickens or rabbits including, without limitation, the manner of construction and the exterior appearance.
 2. Any enclosure housing chickens or rabbits shall be subject to regulations governing accessory buildings under the Zoning Code, including

placement on the property. At a minimum, no animal enclosure shall be placed closer than fifteen (15) feet from any lot line. Placement of enclosures will not be permitted adjacent to waterways or other environmentally sensitive areas.

3. The permit holder shall keep the chickens or rabbits in good health. The Village may require verification of health of the chickens or rabbits from a licensed veterinarian during the application process or at any time while the animals are being kept or housed on the property.
4. The permit holder shall be responsible for keeping the animals on their property and shall be responsible for any animals found running at large in the Village from the permit holder's property. It shall be a violation of this Section if an animal permitted under an animal use permit is found to be running at large in the Village at any time.
5. An animal use permit may be suspended or revoked by the Village as provided herein. Upon written notice from the Village, which shall include reasons for the suspension or revocation, the Village may suspend or revoke an animal use permit. The permit holder shall have ten (10) days from the delivery of the written notice to the permit holder to correct the violations or problems set forth in the written notice from the Village or remove the animals from the property. The permit holder may appeal on the decision to suspend or revoke an animal use permit by filing a written appeal with the Village within this 10-day period after delivery of the written notice to the permit holder, which appeal shall be reviewed by the Village President or the President's designee. At the discretion of the Village President, a hearing may be held by the Village President or the President's designee at a date and time set by the Village. The decision of the Village President shall be final. If the permit holder maintains animals on the property after the effective date of the suspension or revocation, the permit holder shall be in violation of this Section.
6. The property owner shall be jointly and severally liable for any violations of this Section of the Village Code occurring on their property by any occupant of the property, regardless of whether or not the property owner is the permit holder.

Section 3. Any animal owned, possessed, kept, maintained, housed, or otherwise held within the Village in violation of any provision of this Ordinance upon the passage of this Ordinance may remain in the Village for the lesser period of (1) no more than one year from the effective date of this Ordinance, or (2) the date of the removal of the animal from the premises within the Village for any reason for a period of more than forty-eight hours if such removal occurs within the one-year time period after the effective date of

this Ordinance. After the applicable date, such ownership, possession, keeping, maintenance, housing, or holding of the animal must be discontinued immediately thereafter or be in violation of this Ordinance. Furthermore, no new animals will be allowed under this exception to the provisions of this Ordinance after the effective date of this Ordinance.

Section 4. This Ordinance is hereby ordered to be published in pamphlet form by the Dunlap Village Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby superseded and repealed by this ordinance, and any conflicts shall be governed by the ordinance.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF DUNLAP, PEORIA COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS ____ DAY OF _____, 2026.

Trustee H. McEvoy	AYE	NAY	ABSENT / ABSTAIN
Trustee S. Robinson	AYE	NAY	ABSENT / ABSTAIN
Trustee B. Feuchter	AYE	NAY	ABSENT / ABSTAIN
Trustee P. Camp	AYE	NAY	ABSENT / ABSTAIN
Trustee P. Raso	AYE	NAY	ABSENT / ABSTAIN
Trustee K. Wagenbach	AYE	NAY	ABSENT / ABSTAIN

APPROVED:

President

ATTEST:

Village Clerk

CERTIFICATE OF PUBLICATION

I, _____ and the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Village of Dunlap, a municipal corporation of and in the County of Peoria, Illinois, that the foregoing Ordinance No. 26-04, titled “An Ordinance Revising the Dunlap Village Code to Regulate Certain Animals and Prohibit Certain Wild Animals in the Village”, is a true and accurate copy of the Ordinance passed by the Village Board and President of the Village of Dunlap on the meeting date set forth therein, and that the Ordinance was published by me in pamphlet form this _____ day of _____, 2026, by making three (3) copies thereof available on that date for public inspection.

Deputy Village Clerk

[Seal]