ORDINANCE NO. 13-11-05

ORDINANCE AMENDING ZONING CODE REGARDING PERMITTED USES IN AGRICULTURAL DISTRICTS

WHEREAS, the Village has presented a petition to the Zoning Board for the Village of Princeville to amend the Zoning Code for the Village of Princeville to no longer allow the keeping, raising, or feeding of farm animals and livestock on property zoned A agricultural district; and

WHEREAS, the Zoning Board for the Village of Princeville properly held a meeting on November 14, 2013, after giving proper notice of the meeting to consider this proposed change to the Zoning Code for the Village of Princeville,

WHEREAS, at their meeting on November 14, 2013, the Zoning Board approved the Village's petition to change the permitted uses in property zoned A agricultural district to no longer allow the keeping, raising, or feeding of farm animals and livestock, and has recommended that this change be made to the Zoning Code for the Village of Princeville provided any such current compliant uses in property zoned A agricultural district be allowed to continue until such non-conforming use ceases; and

WHEREAS, the Village Board hereby finds that it is in the best interests of the Village to follow the recommendation of the Zoning Board and to make this change to the Zoning Code for the Village of Princeville, while also updating the provision of the Village Code that addresses the housing of animals within the Village;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Princeville, Peoria County, Illinois, that:

SECTION 1. Section 010 of Title 17, Chapter 32 of the Code of the Village of Princeville Municipal Code ("Agricultural Districts") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

17.32.010 Permitted uses.

Within the A agricultural district the following uses are permitted:

A. The growing, harvesting and storing of crops, including legume, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom, nurseries, orchards, forestry, and greenhouses;

B. Farm dwellings, occupied by farm owners, operators, tenants or seasonal or year-round hired farm workers;

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C. Farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm, or for storing and protecting farm machinery and equipment from the elements;

D. Dwellings:~~.~~ One-family provided that the minimum lot area for each dwelling unit is one acre;

E. The keeping, raising, or feeding of livestock or farm animals is not a permitted use within the A agricultural district after December 1, 2013, which includes poultry, dairying, swine, pigs, hogs, sheep, goats, cattle, horses, ponies, fur farms, bees or beekeeping, dog or cat breeding, pigeons, mules, ducks, geese, chickens, minks, skunks, foxes, buffalo, deer, llamas, alpacas, ostriches, emus, or any other livestock, farm animal, or poultry, or any wild or vicious animals dangerous to mankind, and any structures for housing such livestock, animals, or poultry. Any property zoned as A agricultural district on November 30, 2013 shall be permitted to continue the use of such property for ~~The~~ the keeping, raising, or feeding of livestock poultry, including dairying, poultry, swine, sheep, goats, beef cattle, pony and horse productions, fur farms, or beekeeping or such structures for housing livestock or poultry products for market, if such use ~~shall~~ is not ~~be~~ located closer than three hundred (300) feet to the R district, as a non-conforming use provided such use was occurring and in place on November 30, 2013, and that such use does not cease for a period of sixty (60) continuous days or more or is not otherwise changed to a conforming use; if such non-conforming use ceases for a period of sixty (60) continuous days or more or is otherwise changed to a conforming use, such non-conforming use shall not be re-established. A non-conforming use permitted under this Subsection E shall be permitted to continue upon the sale or transfer of the property with the non-conforming use provided the property and use otherwise stay complaint with the other terms and conditions of this Subsection E. This Subsection E does not prohibit or in any way limit the keeping, raising, or feeding of pets on the property within the A agricultural district, except as may be provided elsewhere in the Zoning Ordinance or the Village Code of the Village of Princeville.

SECTION 2. Section 060 of Title 6, Chapter 4 of the Code of the Village of Princeville Municipal Code ("Animals Generally") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

6.04.060 Housing.

No person shall cause or allow any stable or place where any animal or poultry is or may be kept to become unclean or unwholesome, and it is unlawful to keep any live swine, ~~or~~ pigs, hogs, poultry, sheep, goats, cattle, horses, ponies, bees, pigeons, mules, ducks, geese, chickens, minks, skunks, foxes, buffalo, deer, llamas, alpacas, ostriches, emus, or any other livestock, farm animal, or poultry, or any wild or vicious animals dangerous to mankind in the Village.

SECTION 4. This Ordinance is hereby ordered to be published in pamphlet form by the 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. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith except as to that part in direct conflict with another ordinance, and in the event of such conflict, the provisions hereof shall govern.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED THIS 19 DAY OF November, 2013.

AYE: Sutherland, Troutman, Koller, Fr. Troy & Haley

NAYES: Carter

ABSENT: NA

APPROVED THIS 19 DAY OF November, 2013.

Sidney R. Stahl, President
Village of Princeville, Illinois

ATTEST:

Mary Ann Mercer, Clerk
Village of Princeville, Illinois

VILLAGE OF PRINCEVILLE
3/24/1874
INCORPORATED
ILLINOIS

CERTIFICATE OF PUBLICATION

I, MARY ANN MERCER and the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Village of Princeville, a municipal corporation of and in the County of Peoria, Illinois, that the foregoing Ordinance No. 13-11-05 is a true and accurate copy of the Ordinance passed by the Village Board and President of the Village of Princeville on the meeting date set forth therein, and that Ordinance No. 13-11-05 was published by me in pamphlet form this 19 day of November, 2013, by making three (3) copies thereof available on that date at the Village Hall for the Village of Princeville for public inspection.

Mary Ann Mercer
Village Clerk