

## **AN ORDINANCE ESTABLISHING AN URBAN AGRICULTURE ORDINANCE WITHIN THE CITY OF ROCK ISLAND, ILLINOIS**

**WHEREAS**, the City of Rock Island recognizes urban agriculture as a viable use of land that promotes community health, environmental sustainability, and economic vitality; and

**WHEREAS**, the State of Illinois Garden Act, 505 ILCS 87, establishes the right to cultivate vegetable gardens on any property within a municipality but does not preclude a home rule unit to regulate gardens in a manner consistent with the Act; and

**WHEREAS**, the City of Rock Island finds it necessary to exercise its home rule authority by regulating urban agriculture activities to ensure their compatibility with adjacent properties and prevent inappropriate development; and

**WHEREAS**, the City of Rock Island recognizes that the Southwest Area of the City has a unique collection of natural settings and rural character that make it well suited for specialized urban agriculture practices that require different treatment than other parts of the City

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS, in

**Section One:** The purpose of these regulations is to ensure the consistency in the operation and development of urban agriculture.

**Section Two:** The following section titled "Urban Agriculture" is hereby added to Chapter 11, Article XII of the Code of Ordinances of the City of Rock Island, Illinois.

### **Section 11-176: Urban Agriculture**

1. **Purpose.** The purpose of this section is to provide for the regulation of Urban Agriculture within the City on both private and public property to ensure positive, productive, and compatible land uses.

2. **Definitions.**

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Any term not so defined will take on its common meaning or a definition provided elsewhere in Municipal Code.

*Accessory Structure* shall have the same definition as found in the City's Zoning Ordinance. In an urban agriculture context, said structures support various agriculture operations and include storage sheds, tool sheds, or greenhouses.

*Accessory Use* shall have the same definition as found in the City's Zoning Ordinance.

*Apiary* shall mean any place where one or more colonies or nuclei of bees are kept

*Aquaculture* shall mean the breeding, raising, and harvesting fish, shellfish, and aquatic plants in controlled aquatic environments for any purpose, be it commercial, recreational or public purposes.

*Aquaponic System* shall mean the symbiotic propagation of plants and fish in an indoor, constructed and recirculating environment.

*Bee* shall mean any hymenopterous insect of the superfamily Apoidea, including social and solitary species of several families, such as bumblebees, honeybees, blue orchard bees and several species of leaf cutting bees or any stage of the common European honey bee, *Apis mellifera*. The term “honey bee” is synonymous.

*Beekeeper* shall mean a person who is responsible for the maintenance of an apiary, its constituent hives, and the colonies within as well as all associated materials, equipment, and products which meet State approved requirements.

*Beekeeping, Backyard* shall mean the keeping or maintenance of an apiary as an accessory use to a single-family dwelling for personal consumption of bee products or enjoyment.

*Beekeeping, Commercial* shall mean a commercial beekeeping operation is one that is maintained for commercial gain, or consists of the keeping or maintenance of 5 or more hives, and/or beekeeping accessory to a legitimate agricultural operation.

*Beekeeping Flyaway Barrier* shall mean a solid wall, fence, or dense vegetation or combination thereof that provides an obstruction or shield through which bees cannot readily fly.

*Beekeeping Equipment* shall mean anything used in operation of an apiary including but not limited to hive bodies, supers, frames, top and bottom boards, extractors, gloves, hoods, and smokers.

*Concentrated Animal Feeding Operations (CAFOs)* shall mean an animal feeding operation as defined by the United States Department of Agriculture (USDA) and regulated by the Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NDPES) Permitting Program. Such operations shall not be permitted within the City of Rock Island.

*Colony* shall mean the bees and organic components within a hive including comb, honey, pollen, and brood.

*Compost* shall mean relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and raw and uncooked kitchen food waste. This process specifically excludes bones, meat, fat, grease, oil, raw manure, and milk products, which are difficult to break down and can cause odor and nuisance issues.

*Composting* shall mean the process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield humus-like product, which is typically used as a soil amendment.

*Controlled Grazing* shall mean the temporary use of goats or sheep as a landscape management technique to control the growth of undesirable vegetation, including noxious weeds and invasive plants or trees at a specific location and for a defined length of time.

*Farm machinery* shall mean a wide range of mechanical devices, equipment, and vehicles specifically designed and used for various agricultural tasks and operations, aiding in the cultivation, harvesting, processing, and management of crops and livestock. Farm machinery is further categorized by the following groups.

*Large farm machinery* shall refer to agricultural equipment or vehicles designed and used primarily for heavy-duty tasks on farms with extensive acreage. Large farm machinery typically has heavy implements such as plows, harrows, seed drills, cultivators, balers, and sprayers. These shall weigh no more than 25 tons or 50,000 pounds as they are intended for use on parcels one (1) acre or larger.

*Small farm machinery* shall refer to agricultural equipment or vehicles designed and used primarily for light to medium-duty tasks on smaller farms, homesteads, or niche agricultural operations. Small farm machinery is compatible with smaller implements such as lawn mowers, rotary tillers, garden carts, front-end loaders, and small hay balers. These shall weigh no more than 1.5 tons or 3,000 pounds as they are intended for use on parcels less than one (1) acre.

*Farm stand* shall mean a permanent structure used for the display and sale of agricultural products grown or produced on the site where the stand is located.

*Front yard* shall have the same definition as found in the City's Zoning Ordinance.

*Greenhouse* shall mean a structure with a roof and sides that are made of durable materials including glass or other transparent or translucent

material such as rigid plastic panels in which the temperature and humidity can be regulated for the cultivation of plants.

*Hive* shall mean a structure intended for the housing of a bee colony.

*Honey Bee* shall mean the common domestic honey bee, limited to the *Apis mellifera* species, specifically excluding the African honey bee, *Apis mellifera scutellata* or Africanized honey bee, or any dangerous hybrid thereof.

*Hydroponic System* shall mean the propagation of plants using a mechanical system designed to circulate a solution of minerals in water with limited use of growing media.

*Livestock* shall mean domesticated animals raised in an agricultural setting for training, boarding, home use, sales, breeding, and the production of commodities and /or specialized products such as food, fiber, and labor. Livestock is further categorized by the following groups.

*Large livestock:* Cattle, horses, and other livestock generally weighing over 500 pounds.

*Small livestock:* Vietnamese or Asian potbellied pigs, rabbits, guinea fowl, ostriches, turkeys, geese, ducks, sheep, goats, miniature horses, donkeys, llamas, alpaca, and other livestock generally weighing under 500 pounds.

*Market Garden* shall mean an activity where food crops, plant fiber, ornamentals, or other plants are grown by an individual or a group to be sold for profit.

*Niche Farms* shall mean specialized agriculture operations focused on marketing limited and often high-value products that cater to specific market segments and often emphasize quality and sustainability to differentiate themselves in the marketplace. Heritage breed livestock farms, heirloom vegetable farms, specialty herb and medicinal plant farms and artisanal dairy farms are few examples of niche farms.

*Principal Use* shall have the same definition as found in the City's Zoning Ordinance.

*Raised Bed* shall mean a gardening technique where soil is contained in an elevated structure, typically framed by wood, stone, or other durable materials used for growing produce.

*Seasonal Extending Structures* shall mean temporary structures, such as hoop houses or high tunnels, cold frames and hot beds, cloches and hot caps, and floating row covers used primarily to prolong the growing season by shielding crops from adverse weather conditions or providing controlled environments conducive to growth.

- *Cold Frame* shall mean a temporary, unheated structure used for protecting seedlings and plants from the cold. Cold Frames are often constructed of durable materials, such as wood, glass, rigid plastic, or even old windows, but are not typically taller than 36 inches.
- *Hoop house* shall mean a structure with a roof and sides are made largely of transparent or translucent material (not glass) for the purpose of the cultivation of plants. A hoop house does not have supplemental heat. A high tunnel is very similar in construction to a hoop house, but is generally not enclosed on the ends of the structure.
- *Low Tunnel* shall mean a temporary, freestanding structure that has a supported framework, typically made with hooped PVC or metal pipe and covered with plastic. A low tunnel does not have heat or electrical power and its purpose is to house and protect produce outside the typical growing season of the region.

*Southwest Rock Island* shall mean an area within the City of Rock Island's municipal boundary that includes any parcel of land south of the Rock River or on any island located in said river.

*Swarm* shall mean a concentrated congregation of bees outside of a hive resulting from the bees lacking sufficient room for their colony. This is natural habit of bees and they are not usually aggressive when swarming.

*Urban Agriculture* shall mean the practice of cultivating, processing, and distributing food in and around a community by various means that reflect an urban context. Urban agriculture encompasses urban gardening and urban farming. Urban agriculture is differentiated other forms traditional agriculture in that the former typically operates within an urbanized and built up environment, rather than on generally open and undeveloped land. Common practices include, but not limited to, gardening, raising livestock, composting, urban beekeeping, and chicken keeping.

*Urban Farms* shall mean vacant lots five (5) acres or larger that are for the cultivation and harvesting of food and non-food crops. These farms may serve personal, group, wholesale, or retail purposes and can involve specialized agricultural practices and livestock operations. Such farms often focus on producing high-value, niche products tailored to specific market segments. Examples of urban farm activities include, but are not limited to, animal husbandry, aquaculture, agroforestry, niche farms, greenhouses and nurseries, vineyards and wineries, farm stands, dairy farms, chicken keeping, beekeeping, and horticulture. Urban farms are typically characterized by a primary focus on income-generating agricultural activities, operating as business enterprises. This definition also includes the definition for "Farm" as found in the City's Zoning Ordinance.

*Urban Gardens* shall mean vacant lots less than five (5) acres of land, publicly or privately owned, used for the growing of plants, fruits, vegetables, flowers or herbs. Said gardens may also include activities such as chicken keeping and beekeeping where permitted.

3. **Designation.** All urban agriculture activities on both private and public land are subject to all applicable guidelines in the City's Urban Agriculture Ordinance.

4. **Regulations for Urban Agriculture – Farms & Gardens**

- a. Location & Size

- i. ***Lots with Foreclosed, Vacant, and Abandoned Structures.***  
Urban Agriculture of any and all kinds shall be prohibited on any lot where a foreclosed, vacant, or abandoned structure, in any zoning district, is present. Any urban agricultural activity on such a property shall be considered a nuisance and may be abated by the City in the same manner as overgrown grass, weeds, or other nuisance vegetation.
    - ii. ***Lots with occupied structures.*** Urban Gardens shall be permitted on any lot where an occupied structure, in any zoning district, is present. This may include the keeping of honeybees and chickens in compliance with this code. No other livestock shall be permitted.
    - iii. ***Vacant Lots Less Than One Acre:*** Urban Gardens shall be permitted on vacant lots less than one (1) acre in size in all residential zoning districts and shall require a special use permit in all other zoning districts. Areas not under cultivation shall be maintained as a lawn.
    - iv. ***Vacant Lots One to Five Acres:*** Urban Gardens shall be permitted on vacant lots less than five (5) acres in size in all residential zoning districts in Southwest Rock Island. Urban Gardens on vacant lots between one (1) to five (5) acres located elsewhere in the City shall require a special use permit in all zoning districts. Areas not under cultivation shall be maintained as a lawn.
    - v. ***Vacant Lots Five Acres or Larger:*** Urban Agriculture on residentially-zoned parcels five (5) acres or larger shall be permitted only in Southwest Rock Island. This may include the keeping of livestock, honeybees, and chickens in compliance with this code.
    - vi. ***Exemption in Southwest Rock Island:*** Existing farms or gardens on parcels not previously developed for non-agricultural uses may continue as a legal non-conformity. The regulations applying to all other legal non-conformities shall apply to such parcels. This section shall be understood to mean that parcels annexed into the City on which farms are located may continue to operate as they have until such time they are developed for other uses. This section shall only apply to parcels located in Southwest Rock Island.

- b. Structures

- i. Storage sheds, season-extending structures and other accessory structures on vacant lots less than one (1) acre are prohibited.
- ii. Storage sheds and accessory structure(s) provided on vacant lots between one (1) to five (5) acres shall not exceed 200 square feet and shall follow all applicable requirements in the City's Zoning Ordinance.
- iii. Season-extending structures provided on vacant lots between one (1) to five (5) acres shall not exceed 200 square feet per structure and shall follow all applicable requirements for accessory structures in the City's Zoning Ordinance. Said structures are permitted for a maximum of four (4) weeks before and after the growing season which spans from May 1 to October 9. Such structures shall not be erected during the growing season.

b. General Requirements

- i. Concentrated Animal Feeding Operations (CAFOs). CAFOs shall be prohibited throughout the City. If a CAFO is present on a parcel being annexed into the City, it must cease operation by the time annexation is completed.
- ii. No animals of any kind, including but not limited to chickens, livestock, and bees, shall be kept at an urban garden located on an otherwise vacant lot.
- iii. Farm stands shall receive a special use permit to be allowed to be located on an urban farm. Said use shall be permitted to be located in the required front yard but shall be setback at least ten (10) feet from the front property line. Only produce and products grown or made on the premises may be sold at the farm stand.
- iv. Animal slaughtering is strictly prohibited on urban farms and gardens within city limits. This prohibition, however, does not apply to licensed businesses that are specifically zoned and regulated for slaughtering activities.
- v. Raised beds or raised mounds used to facilitate cultivation as well as water tanks shall be allowed on all vacant or occupied lots.
- vi. Composting, rain collection systems, hydroponic systems, or the keeping of any livestock, including honeybees and chickens on vacant lots less than five acres are prohibited unless specified in a special use permit.
- vii. Water Tanks.
  - Water tanks shall not exceed a capacity of five hundred (500) gallons.
  - For parcels 5,000 square feet in size or smaller, a maximum of one (1) water tank shall be allowed. An additional water tank shall be allowed for every additional 5,000 square feet of parcel area.
  - Water tanks shall be well-maintained on a stable and level footing free of leaks.

- Water tanks shall be vessels that are commonly accepted as appropriate for this purpose and shall not have been previously used for purposes other than storing water. Water tanks that do not meet these criteria shall be considered a nuisance and may be abated by the City in the same manner as junk, garbage, and other refuse.
- viii. Niche farming operations shall only be allowed on vacant lots five acres or larger.
  - ix. Traditional small-scale meat processing, butchery, and/or the operation of a meat locker facility shall only be allowed with a special use permit on vacant lots five acres or larger.
  - x. On lots with occupied structures, no crops exceeding four (4) feet in height shall be planted in the front yard nor within ten (10) feet of any side or rear yard property line.
  - xi. On vacant lots, no crops, of any height, shall be planted within ten (10) feet of any property line. Areas not under cultivation must be maintained as a lawn.
  - xii. Crops shall not encroach onto adjacent property or public right-of-way.
  - xiii. Any plant species designated as noxious or invasive in the Illinois Administrative Code, by the Illinois Department of Natural Resources, or in the City of Rock Island Municipal Code is prohibited to be planted.
  - xiv. Any fencing and signs provided shall follow all applicable provisions in other City Ordinances.
  - xv. All pesticides and fertilizers shall be stored and applied in accordance with all applicable State and Federal regulations.
  - xvi. The use of small farm machinery shall be permitted on lots less than one (1) acre where urban agriculture activities exist. The use of large farm machinery is only permitted on lots greater than one (1) acre in Southwest Rock Island and prohibited elsewhere.
  - xvii. Tools, garden supplies, and machinery allowed on vacant lots over one acre shall be stored in an enclosed structure or removed from the property daily.
  - xviii. Uncultivated areas and areas between crops shall be maintained in compliance with the City's Weeds and Grass Ordinance.
  - xix. The property shall be maintained free of rotten fruits and vegetables as well as dead crops unless said crops are used as part of a proper or generally accepted erosion or weed control practice.
  - xx. Agriculture uses shall comply with all other applicable State, Federal and local regulations, including, but not limited to, nutrient management, building and fire codes, erosion and sedimentation control, and storm water management.

## **5. Regulations for Chicken Keeping**

### **a. Location**



- i. The keeping of chickens is allowed in all zoning districts as an accessory use as defined by the City's Zoning Ordinance and permitted as a principal use on Urban Farms.
  - ii. All chicken enclosures shall be located in a rear yard or on a flat roof top and be at least ten feet (10') from neighboring property lines. On properties one (1) acre in size or larger, the enclosure may be located in a side or front yard provided that the enclosure is at least one hundred feet (100') from the neighboring property lines.
- b. Coops and Enclosures
  - i. Enclosures shall be secure fenced areas that prevents entry by predators from below, above, and the sides. It shall at a minimum consist of wire fencing or mesh with openings no larger than one inch (1"). Coops and their resident chickens shall be kept inside an enclosure at all times. They shall also be kept clean, dry, odor free, neat, and sanitary at all times.
  - ii. Coops shall be designed with a minimum of four (4) square feet per chicken. They shall also be enclosed on all sides, have a roof, secured entrance, and adequate ventilation. Chickens shall be secured within a coop between dusk and dawn.
  - iii. The use of scrap, waste board, sheet metal, or similar materials is prohibited in the making of coops and enclosures.
  - iv. There shall be no more than one enclosure and one coop therein on any given residential property that is less than one (1) acre.
  - v. Chickens outside of an enclosure shall be deemed at-large and subject to capture and removal by the Rock Island Animal Control Officer or their designee. No dog or cat that harms or kills a chicken at-large shall be considered dangerous or aggressive for that reason alone.
- c. Food, Water, and Health
  - i. Chicken keepers shall provide adequate feed to chickens and secure said feed in such a fashion as to avoid attracting predators or nuisance species.
  - ii. Chicken keepers shall ensure that a fresh, convenient source of water is available to chickens at all times.
  - iii. Any chicken manure kept on-site shall be stored in a covered container not exceed three (3) cubic feet in volume. All manure not used for composting or fertilizing on the property shall be removed.
  - iv. Chickens shall be monitored for health problems common to their species and cared for using common best practice methods. Chickens found to be infested with parasites or disease that may result in unhealthy conditions may be removed by the Rock Island Animal Control Officer or their designee.
- d. Maintenance and Conduct

- i. All items associated with the chickens must be kept in sound and usable condition. Chicken keepers shall ensure that no refuse or related materials are left on the ground of the enclosure.
- ii. In any instance where a chicken becomes hostile by exhibiting aggressive characteristics such as pecking or scratching, it shall be removed from the property.
- iii. It is a suggested practice that insecticides, pesticides, and similar chemicals not be used at the property on which chickens are located.
- iv. It is unlawful for any person keep chickens on any property in a manner that threatens the public health or safety, or creates a nuisance.
- v. It shall be unlawful to keep roosters except for agricultural purposes on urban farms. Areas where roosters are kept should be setback one hundred feet (100) from all property lines.
- vi. A maximum of sixteen (16) chickens may be kept on urban gardens. There shall be no maximum number chickens permitted on urban farms or urban gardens over one (1) acre located in Southwest Rock Island.
- vii. Chicken tractors or other mobile enclosures are prohibited.
- viii. Keeping chickens shall be done in accordance with this Article and any other applicable laws.

## **6. Regulations for Beekeeping**

### **a. Location**

- i. Beekeeping is allowed in all zoning districts as an accessory use as defined in the City's Zoning Ordinance provided that apiaries are registered with and inspected by the State in accordance with the Illinois Bees and Apiaries Act. The City reserves the right to ask for proof of registration. If apiaries are not registered with the State, they shall be declared a nuisance and reported to the State.
- ii. All apiaries shall be located in a rear yard or on a flat roof top and be at least ten feet (10') from neighboring property lines with the back of the hive facing the nearest adjoining property. On properties one (1) acre in size or larger, the apiary may be located in a side or front yard provided that the apiary is at least one hundred feet (100') from the neighboring property lines

### **b. Hives**

- i. Beekeeping is allowed in all zoning districts as an accessory use as defined in the City's Zoning Ordinance provided that apiaries are registered with and inspected by the State in accordance with the Illinois Bees and Apiaries Act. The City reserves the right to ask for proof of registration. If apiaries are not registered with the State, they shall be declared a nuisance and reported to the State.

- ii. All apiaries shall be located in a rear yard or on a flat roof top and be at least ten feet (10') from neighboring property lines with the back of the hive facing the nearest adjoining property. On properties one (1) acre in size or larger, the apiary may be located in a side or front yard provided that the apiary is at least one hundred feet (100') from the neighboring property lines
- c. Food, Water, and Health
  - i. It is a suggested practice that beekeepers maintain to the greatest extent possible landscaping on their property which provides substantial forage for bees.
  - ii. Beekeepers shall ensure that a fresh, convenient source of water is available to bees at all times to make sure that the bees do not congregate at pet water bowls, swimming pools, birdbaths, or other water sources which may cause human or animal contact. The water shall be regularly maintained as not to become stagnant. The water source will be placed in a location that reduces the chances of bees seeking water on neighboring properties.
  - iii. Bees shall be monitored for health problems common to their species and cared for using common best practice methods. Bees found to be infested with parasites or in some manner diseased should be removed and humanely disposed of.
- d. Maintenance and Conduct
  - i. All items associated with the apiary must be kept in sound and usable condition. Beekeepers shall ensure that no honeycomb or related materials are left on the ground of the apiary. If materials are removed from the hive, they will be promptly placed in a sealed container, inside of a building, or other bee-proof area.
  - ii. In any instance where a queen bee becomes hostile by exhibiting aggressive characteristics such as stinging or attempting to sting without due provocation, the beekeeper shall requeen the colony with a European honey bee.
  - iii. Corrective measures shall be taken to control swarming. Suggested practices include: baiting hives by creating an attractive home, requeen the colony every year with a bee that is less than one year old, and keep items that move lightly in the wind, such as bushes to keep the bees accustomed to movement.
  - iv. It is a suggested practice that insecticides, pesticides, and similar chemicals not be used at the property on which an apiary is located.
  - v. It is unlawful for any person to maintain an apiary on any property in a manner that threatens the public health or safety, or creates a nuisance.

## **7. Regulations for Livestock Keeping**

- a. Location

- i. The keeping of livestock, large or small, is allowed on urban farms as either a principal or accessory use. It shall be unlawful to maintain, keep, or harbor livestock elsewhere in the City.
  - ii. Buildings used to house livestock or any outdoor area where livestock is kept must be setback one hundred (100) feet from all property lines, including the front yard, if adjacent to residentially zoned property and setback fifty (50) feet from all property lines in all other cases.
- b. General Requirements
  - i. One (1) large livestock is permitted per ten thousand (10,000) square feet of parcel area or one (1) small livestock is permitted per five thousand (5,000) square feet of parcel area. The total number of livestock allowed on a given parcel is calculated as cumulative total of both large and small livestock meaning that each livestock, whether large or small, subtracts from the total parcel area available for other livestock.
  - ii. Outdoor areas used for keeping livestock shall be secured with a fence that provides the necessary restraints and confinement to prevent said livestock from running at large.
  - iii. Any livestock within a required setback area, outside of a confinement, or otherwise off the premise of an urban farm shall be deemed at large and subject to capture and removal by the Rock Island Animal Control Officer or their designee.
  - iv. It shall be unlawful to slaughter livestock within the City. This prohibition however does not apply to licensed businesses that are specifically zoned and regulated for slaughtering activities.
  - v. The lawful keeping of livestock, which is otherwise made unlawful by reason of the enactment of this chapter, may be continued upon property located within the City provided livestock was maintained thereon prior to the enactment of this chapter, and may be continued until such time as livestock is no longer alive or has been otherwise removed from the property.
  - vi. The burden of proving the maintenance of livestock upon a parcel of land within the City prior to the enactment of this chapter shall lie with the person claiming such prior existence.
  - vii. Nothing herein shall be deemed to exempt an owner of livestock within the City limits from the enforcement of nuisance or other laws regarding the keeping of such livestock.

## **8. Controlled Livestock Grazing**

### **a. Location**

- i. Controlled livestock grazing may be used to manage vegetation on specific public or private property when a permit is obtained by the contractor. All applicable sections of the City's Code of Ordinances must be complied with at all times when the animals are located on the property.

- ii. Animals used for controlled livestock grazing may not remain on the property for more than thirty (30) consecutive days.
  - iii. Controlled grazing shall only be allowed where vegetation, which may include non-native, invasive or noxious species, cannot otherwise be reasonably removed using conventional mechanical methods.
- b. General Requirements
- i. Only goats and sheep may be used for controlled grazing within city limits. Only females and castrated males may be used.
  - ii. No more than ten (10) goats per every one (1) acre of the controlled grazing area shall be on the premises at one time.
  - iii. Temporary fences for the containment of grazing animals must be at least four (4) feet in height and should be checked regularly.
  - iv. Temporary electric fences used to pen grazing animals are allowed. Warning signs, at least 2 square feet, must be posted at 15-foot intervals notifying the public of the presence of a dangerous fence and must be visible for the duration of the activity.
  - v. To ensure public safety, a warning sign, at least 2 square feet, shall be erected at 15-foot intervals and visible for the duration of the grazing activity.
  - vi. Notification of neighbors prior to controlled grazing is not required, but is encouraged.
  - vii. The controlled grazing must follow all other applicable City Ordinances.
  - viii. All controlled grazing must be carried out in accordance with best animal husbandry practices and all state and local laws related to animal care.

## **9. Exceptions**

- a. Any person, with the permission of the property owner, desiring an exception(s) to the strict application of the regulations of this ordinance may undertake the following actions in accordance with the procedures set forth in the Zoning Ordinance.
  - i. On lots with occupied structures, any person shall be allowed to request a variance.
  - ii. On vacant lots, any person shall be allowed to request a Special Use Permit.

**Section Three:** Chapter 7, Article VI, Division 4 “Urban Chickens” is hereby deleted and reserved.

**Section Four:** All ordinances and parts of ordinances in conflict herewith are hereby repealed and replaced insofar as they do so conflict.

**Section Five:** This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

\_\_\_\_\_  
MAYOR OF THE CITY OF ROCK ISLAND

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

DRAFT