1. Call to Order and Pledge of Allegiance

2. Roll Call

3. Items of Business
   - Unfunded Mandate Task Force
   - Presentation of Kendall County Annual Financial Report for FY 2014 – Matt Schueler, Wipfli, CPAs
   - Petition 14-25: Amendment to the Kendall County Zoning Ordinance to allow bee keeping in residential districts
   - Resolution Requiring the Audio Recording of all Standing Committee Meetings
   - Honoring former County Board member Jessie Hafenrichter

4. Chairman’s Report

5. Review Board Action Items

6. Executive Session

7. Public Comment

8. Questions from the Media

9. Adjournment
Kendall County, Illinois
Committee of the Whole

Thursday, February 12, 2015
County Office Building, Board Room 209-210
111 W. Fox Street, Yorkville IL
Meeting Minutes

Call to Order
The Committee of the Whole was called to order by Chair John Shaw at 4:00p.m., who led the group in the Pledge of Allegiance.

Roll Call

Board Members Present: Judy Gilmour - here, Dan Koukol – present, Scott Gryder – here, Matthew Prochaska – present, Jeff Wehrli – here, John Shaw–aye, John Purcell (arrived at 4:25p.m.)

Board Members Absent: Lynn Cullick, Bob Davidson, Elizabeth Flowers

Others Present: David Berault, Leslie Johnson, Anne Knight, Chief Judge Tim McCann, Undersheriff Harold Martin, Dr. Amaal Tokars, Tina Varney, Eric Weis, Jeff Wilkins, Angela Zubko

New Business

➤ Merging of County Committees – Judge Tim McCann reported that he has had discussions with Sheriff Baird regarding combining the Judicial Legislative and Public Safety Committees in to one monthly meeting.

➤ Review Approved 23rd Circuit Probation Officer Bargaining Unit Agreement - Chief Judge Tim McCann informed the board that after 15-months of negotiations, the contractual issues have been resolved with the MAP union which includes the fourteen Kendall County Probation Officers. The agreement has already been signed by Judge McCann.

➤ Petition 14-42: Special Use for 655 Woolley Road for Sybert Landscaping to operate a landscape business with outdoor storage – Planner Zubko reported Sybert Landscaping was requesting approval of an A-1 special use permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business. The applicant will be living in the house on the property. This property is for sale right now and the sale is contingent on the special use zoning. The property is located at 655 Woolley Road, on the north side of Woolley Road, 0.15 miles west of Stewart Road. All the buildings exist and they do not plan on any new structures or buildings; they did get approval from the township in November as the petitioner needed permission from the road commission to have this type of business on a minor roadway. The township road commission recommended approval for the petitioners to apply with two conditions. Sybert landscaping is a small family-owned and operated lawn care and landscaping company with no retail sales nor does it meet with its customers at its location.
The business currently operates out of Romeoville, Illinois. If they acquire this site and special use the operation will move from Romeoville, but the offices will stay out in Romeoville.

The applicant’s parents started the company in 1979 and the applicant is the manager of the business. They employ about 6 employees including the applicant, two foremen and three laborers. The crews all ride together in two vehicles to work every day. The work force arrives at 7:00am; load company trucks and disperse to job sites returning at the end of the day. The hours of operation are from 7:00am to 5:30pm, Monday through Friday with an occasional Saturday. The business operates from mid-April through mid-November providing lawn service, and then from November through March the trucks are placed offsite and stored on their snow ploy lots. There is plenty of room on the north side of the lot for parking and storage of vehicles. They also propose a 6’ fence to enclose all the equipment.

The water currently drains west. There were many concerns about drainage, so the petitioner stated he would add a pond to capture some of the water and slowly release it naturally but the neighbors opposed that idea so the petitioner will not be putting in a pond. The petitioner does propose to haul away their landscape waste there would be a condition of a limit of 1 semi load for any waste brought back to this property. At the last meeting we discussed waste and typically, if the waste is not dropped off at the end of the day to a recycling facility, it will come back to the site, but remain in the truck. The only time waste will be dumped on site is if it rains and they exceed the weight capacity, but if that happens it definitely will be removed within one week. Staff will also place a condition that no landscape waste generated off the property can be burned on this site.

The petitioners have stated the main route to their clients will be east on Woolley Road, south on Stewart Road, and east on 119th Street to reach Route 30. This would be the main route in and out of this location to reduce the amount of traffic. No signage is proposed at this time, if they would like to have a sign they would need to comply with Section 12 of the Zoning Ordinance and apply for a building permit. The property currently has an access point off of Woolley Road which would remain the same.

Ms. Zubko pointed out that this is Sybert landscaping and not Siebert landscaping which is a much larger company in the area. On page 5 of the report is a list of businesses compiled by the petitioner’s attorney. The other businesses do not have special use permits with the exception of the Grande Prairie Equestrian Center. Some businesses might qualify for home occupations and others probably would not, but there have been no complaints on those businesses to address.

The petitioner is attempting to meet specific requirements and be sensitive to the concerns expressed by the neighbors by requesting a special use permit. Staff is of the opinion this use permit fits in with the activities taking place near this site and also is of the opinion there could be much worse neighbors than a landscape business on this site.
Kendall County, Illinois
Committee of the Whole

Staff will not make a recommendation at this time, however if approved, staff would recommend the following conditions be placed on the special use:

1. No landscape waste generated off the property can be burned on this site.
2. No loading or unloading of landscape equipment between the hours of 9pm and 6am.
3. No retail sales/business allowed on site.
4. Restriction of the amount of landscape waste that can be stored on site at any one time on the ground to one semi load and that one semi load must be removed within one week. Landscape waste can be contained in the bed of a truck but also must be removed within one week.
5. The fence must be installed within 6 months of the approval date of the special use.

There were approximately 15 people in attendance at the Plan Commission meeting and 8 people spoke opposing the special use. The main concerns expressed were water drainage, grading, landscape waste, rodents, traffic, property values, chemicals, pesticides, pollution, water draining into the ephemeral pond, dust, fuel storage, expansion of the business and the fact that a business is going into a horse community. The Plan Commission recommended denial with a 2-3 vote. The 3 no votes were due to drainage concerns, concerns about overland drainage, as well as grading. Also they felt the use as described is too intense for a 3 acre lot. This was a private airstrip at one time and the Pheasant Drive homes are what caused the water issues. One member had mixed feelings since there is a nursery nearby but feels this is too intense. The last no vote agreed with the others that maybe the trend is becoming more business-like and it would be more suited as a one or two employee operation and not this type of use in a quasi-residential area, it’s too intense and there could be traffic issues. One of the voting members may have created a conflict and the SAO suggested the Board could treat the vote as a tie or do nothing and make their decision based upon the information presented.

The hearing officer had 18 people in attendance and 12 people spoke opposing the special use. Their main concerns were the same as expressed at the Plan Commission but a few others mentioned were: what happens if the business gets larger, noise of deliveries, and making sure the conditions are adhered to. The hearing officer made an unfavorable recommendation.

Andrew Sybert, the lawful owner of the business, provided additional information and his plans for the fencing and landscaping placement prior to the start of any business from that location.

Public Comment

The following neighbors voiced their concerns regarding the Sybert Landscape Business Special Use Permit Request: William Richards, Janet and Carey Porter, Tom Rohrbacher, Ron Bochenek and Bob Moscr.
Old Business - None

Review Draft Board Agenda – Mr. Shaw asked the committee to review the draft agenda and make any changes or additions.

Questions from the Media – Matt Schury asked for clarification on the Plan Commission meeting votes. Information provided by Member Gryder.

Executive Session – None needed

Items for the County Board

➢ Approval of Petition 14-42: Special Use for 655 Woolley Road for Sybert Landscaping to operate a landscape business with outdoor storage

Adjournment – Member Prochaska moved to adjourn the Committee of the Whole meeting and the motion was seconded by Member Koukol. There being no objection, the Committee of the Whole was adjourned at 5:17 p.m.

Respectfully submitted,

Valarie A. McClain
Administrative Assistant/Recording Secretary
MEMO TO THE ILLINOIS LOCAL GOVERNMENT AND CONSOLIDATION AND UNFUNDED MANDATE TASK FORCE

TO: Governor Bruce Rauner
   Lt. Gov. Evelyn Sanguinetti

FROM: Lake County Board Chairman
       Aaron Lawlor

DATE: March 5, 2015

I applaud your efforts to take the actions necessary to bring Illinois back to financial solvency. Lake County has a proud tradition of fiscal responsibility, balanced budgeting and maintaining a AAA bond rating. Getting there has required us to make tough choices over the past number of years.

I realize that the State’s fiscal problems have been years in the making and were caused by both political parties. As you have stated, digging ourselves out is going to take everyone at the table and requires shared sacrifice. It also will require a thorough vetting of how government does business, what we can do to be more efficient and how we can identify and discard the hundreds of unnecessary mandates that cost taxpayers millions of dollars every year. To assist in these efforts, I am enclosing a memo on unfunded mandates and other efficiency opportunities that should be considered by your newly formed local government task force. The immediate cost savings identified in the report add up to $2.1 million and millions more in ongoing savings related to restructuring compensation packages and workers’ compensation reform.

There is no doubt that this will be a difficult conversation. Each item has a constituency and many have entrenched special interest groups behind them. However, if we are not able to carefully weigh costs and benefits of each mandate, we will not provide any relief to local governments and taxpayers.

Please do not hesitate to contact me with any questions regarding the memo. Again, thank you for your leadership to bring the State of Illinois back to fiscal solvency.
Publications, Records Retention, Microfiche

New technologies and advanced methods of communication exist that would result in more convenient transparency for taxpayers, yet the State mandates publication of certain notices, as well as other measures, that are antiquated, inefficient, and costly. Specific examples include:

- The County spends $8,000 a year to publish bids and RFP's in newspapers, despite the fact that any vendor can register on the County's website and receive more detailed information electronically.
- Lake County spends $100,000 annually publishing assessment notices in the newspaper, and spends $230,000 in the General Assessment years. The State should consider changing this publication mandate if the County is communicating with property owners through other communication methods, either direct mail or electronic.
- The County is required to retain various paper records, which have to be stored and managed (at a cost). For example, Accounts Payable paid invoices are scanned into our financial system prior to payment, but also are required to be kept in the paper form for seven years.
- The County is required to place certain records on microfilm or microfiche. There are much more efficient technologies available today which are just as effective at indexing and organizing in a more economical fashion. Changing this mandate could save the County approximately $185,000 annually.

Regional 911 Dispatch Consolidation

- Lake County, in partnership with our Emergency Telephone Safety Board, is taking a leadership role in exploring a consolidated 911 system in Lake County to improve quality of emergency dispatch and response services, and provide significant cost savings.
- The State could assist local governments in Illinois by creating an incentive - using existing funding streams - that would encourage local governments to consolidate.
- In Lake County, a high-level study to assess the opportunities for 911 dispatch consolidation showed that our 17 ETSB's and 24 PSAP's spend approximately $33 million a year on operations. The projected overall operational savings range from $2.3 Million to $10.4 Million depending on the level of consolidation of PSAP centers.
- A core working group held meetings around the county with municipal leaders, fire chiefs and police chiefs to discuss their priorities and how we can advance this initiative together.
• In collaboration with municipalities, police and fire departments we developed and issued an RFP for a phase two study to do the technical analysis that will allow us jointly move forward on this critical initiative
• Many local governments and states have already implemented a more consolidated model for call taking and have been successful.

Elections

• Over the past eight years, a significant number of mandates have been imposed specifically geared to expanding options to register and vote including: provisional, early, and grace period voting; voting by mail; and bilingual ballots and election materials. These mandates have come at a significant cost to Lake County, and have not resulted in increased voter turnout as it aimed to do.
• For the 2016 election cycle, new mandates include voter registration in every polling place on Election Day, grace period registration, and voting in every early voting location for any voter in the county.
• These most recent mandates are expected to cost Lake County in excess of a $1 million.
• In addition, there are inefficiencies within these mandates. For example, the County is required to print 110% of ballots for every precinct, when we know voter turnout will be only 70%. This is inefficient spending.
• Also, the State mandates a certain number of staff at polling places with multiple precincts, when the County could identify more efficient staffing measures and save money.
• Despite these mandates and cost increases, voter registration and turnout have remained constant in the low 70% range for presidential elections, and the low 50% range for gubernatorial elections.

<table>
<thead>
<tr>
<th>Presidential Elections</th>
<th>Gubernatorial Elections</th>
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<tbody>
<tr>
<td><strong>Voter Turnout</strong></td>
<td><strong>Voter Turnout</strong></td>
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<tr>
<td>1992</td>
<td>1994</td>
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<td>84.56</td>
<td>51.04</td>
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<td>51.28</td>
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<tr>
<td>2012</td>
<td>2014</td>
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<td>71.18</td>
<td>50.13</td>
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</table>

*Most Recent Election Mandate
Cost to Lake County: $1 Million*
Juror Pay

- Recent legislation mandates additional daily fees to be paid to jurors.
- The new law increases payments to jurors to $25 for the first day, and $50 for each additional day. Previously, the law mandated $5 for the first three days, $7.50 for the next two days, and $10 for each additional day.
- This mandate has an estimated annual impact of $400,000 of additional cost to the County.
- While this law was intended to lessen the burden of jury service, many employers provide normal pay to those called to jury duty. Data shows that over 80% of jurors do not lose pay as a result of service and the County payments are in fact turned over to employers.
- Therefore, this mandate increases cost without helping the majority of the jurors that it is intended to help.

Workers’ Compensation

- Lake County is concerned about the cost of workers’ compensation.
- After reviewing Lake County’s specific history, the County believes the following specific changes could be beneficial:
  - Clarify the scope of covered conditions and define what is an injury that occurs due to the worker’s employment (causation). This includes restoring the original intent of the law that the system covers only work-related exposures and conditions. For example, Lake County has experienced losses in excess of $500,000 related to claims made in parking lots prior to/post work that are considered workers comp (as the County directs where employees should park).
  - The establishment of a primary causation standard. For example, a worker could injure himself outside of work and then aggravate the injury on the job, and the employer would be responsible for a workers’ compensation claim.
- Reduce or stop doctor shopping and strengthen the American Medical Association standards that are used to determine the level of impairment an injury causes.
- Consider adopting some of the “settlement limitations” imposed by other states.
- Reform at the IWCC, including time requirements regarding the resolution of controverted claims.
Use of Special Revenue Funds – Inmate Welfare Fund

- Revenues generated at the jail commissary are deposited into the Inmate Welfare Fund. This fund has a large, and growing, fund balance, but the State mandates that these funds can only be used for the benefit and welfare of inmates, and not on the basic costs of incarceration.
- Currently, the County spends in excess of $2 million annually on the medical care of inmates and is unable to access inmate welfare funds to offset these costs.
- Allowing the use of inmate welfare funds for the cost of basic medical care would help defray the cost of inmate care and reduce the use of tax dollars.

Prevailing Wage

- Current laws require the payment of prevailing wage for all public projects involving laborers, workers or mechanics, whether construction, maintenance or repairs.
- The ability to use non-prevailing wage labor for repairs and maintenance under a certain threshold will reduce costs for routine, non-life safety work. As an example of costs, the prevailing wage for painters is $34 an hour for even small jobs like painting an office.
- Allowing non-prevailing wage labor on routine maintenance below a certain threshold would have a significant positive financial impact on local governments.
- Many small businesses are not equipped to comply with prevailing wage administrative requirements so an additional benefit to changes in prevailing wage requirements would be an increased ability to use small local and emerging firms.

Labor Relations

The County believes certain items related to labor relations should be reviewed, including:

- Limit mandatory subjects of bargaining to wages and benefit time to allow the County to exercise efficiencies, such as changes of work hours to meet work demands. For example, the ability to schedule weekend shifts for 24/7 operations.
- When unresolved contracts go to interest arbitration, (for the purposes of determining raises), more consideration should be given to other wage increases for Lake County’s union and non-union employees. In addition, cutting funding for other vital services should not be viewed as a way to satisfy the ability to pay question.
- Currently, an election is not required for a group of employees to organize. At least 50% plus 1 of the group who seeks representation should vote to approve such action. Current law only requires a signing of cards by 50% plus 1.
Probation for Non-Violent Offenders/Sentencing Reform

- Certain mandated probation sentences for juveniles may be longer than necessary, such as mandatory 5-year probation sentence for forcible felony conviction, which includes non-violent offenses like breaking into a car.
- In some cases, these non-violent offenses could otherwise be a 6 to 12 month supervision case, depending on the offender risk profile if not for this law.
- It is estimated that these types of changes could save Lake County $150,000 a year.

Probation Services Funding

- In accordance with the Probation and Probation Officers Act, probation services are mandated by the State of Illinois as part of the Court Services program.
- Historically, there is a significant, multi-million dollar funding gap between cost for probation and state reimbursement.
- Although an increase in salary reimbursement funding has been realized for the current fiscal year, adequate funding for Probation and Detention services throughout the State of Illinois remains a critical issue.
- The continuation of Probation and Detention funding is essential in order to maintain safe communities by insuring offender accountability. A reduction in funding will only serve to diminish the capability of court services to accomplish the mission of creating safer communities and insuring offender accountability.

Marine Patrol

- Due to inadequate IDNR resources to patrol State waterways, the County patrols the Chain of Lakes and Fox River.
- The Fox River Chain O'Lakes is the busiest inland recreational waterway per acre in the United States.
- Nine interconnecting lakes provide over 6,000 acres of boating waterways.
- The County budgets $350,000 on the Marine Patrol Unit yet only receives $40,000 in revenue from the issuance of citations.

BID/RFP Limits

- Purchasing limits mandated by the State have been in place for years and do not represent the same dollar value as when they were established.
MEMO TO THE ILLINOIS LOCAL GOVERNMENT AND CONSOLIDATION AND UNFUNDED
MANDATE TASK FORCE

- Each RFP/bid requires extensive time on the part of both the County and the local vendor, and can add months to a purchasing process. The bid/RFP requirements can also present challenges for local emerging business.
- Increasing these limits would allow for more efficient purchasing. Suggested increases are:
  - Commodities – Raise to $50,000 (currently $30,000)
  - Professional Services - Raise to $100,000 (currently $50,000)
  - IT Services – Raise to $100,000 (currently $35,000)
To: PBZ
Date: February 3, 2015
Re: Text Amendment – Bee Keeping in Residential Districts (Petition 14-33)

A couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee.

Conditional Use in the R-1, R-2 and R-3 Districts

Beekeeping with the following conditions:

a. Beekeeping and the honey produced from beekeeping shall be for personal use only
b. Annual permit required with fee of $50 the first year the permit is issued and $25 each year after
c. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
d. No colony shall be permitted within a front yard setback
e. All colonies must be setback at least 30’ from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5’ from the rear or side yard lot line (as long as there is no sidewalk or pathway).
f. All colonies within 100’ of an adjoining home shall require a flyway barrier with a 6’ minimum height
g. All colonies shall require a minimum 4’ fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.

h. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100’ of the adjoining home of objecting property owner.

i. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.

j. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100’ of the residence of the previously objecting property but shall maintain a distance of at least 30’ from all property lines at all times unless abutting a right of way in which the colony can be placed with 5’ of the property line.
k. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrators receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

l. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

m. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

n. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

o. All approved permits shall comply with the Bees and Apiaries Act of Illinois (510 ILCS 20)

Please review and provide Staff with comments during the meeting. Should you have any questions prior to the meeting, please contact me at 630-553-4139.

Red are changes after RPC

Attachments:
1. Matrix of what other municipalities and County's are doing
2. Pictures of what they look like
3. Information about flyaway barriers
5. Illinois State Beekeepers Association BMP's
6. ZPAC Minutes on 11.3.14
7. RPC Minutes on 12.3.14
8. ZBA Minutes on 12.8.14
9. Draft Ordinance
### Beekeeping in Residential Districts

<table>
<thead>
<tr>
<th>Municipality/County</th>
<th>Allowed in Residential</th>
<th>License Required</th>
<th>Minimum Lot Size</th>
<th>Setbacks</th>
<th>Flyway Barrier</th>
<th>Notification</th>
<th>Signage</th>
<th>Water Source for Bees</th>
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<td>Yorkville</td>
<td>Yes</td>
<td>Yes</td>
<td>&lt;1 Acre: up to 2 colonies</td>
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<td>Yes</td>
<td>Yes (Courtesy)</td>
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<td></td>
<td>Annually ($25)</td>
<td>1 Acre+: up to 8 colonies</td>
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<td>N/A</td>
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<td>Yes</td>
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<td>10k sq. ft.+: up to 4 colonies</td>
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<td>Annually ($10)</td>
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<td>Oak Park</td>
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<td>No</td>
<td>N/A</td>
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<td>Skokie</td>
<td>Yes</td>
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<td>6' – Side Yard 5’ – Rear Yard</td>
<td>Yes</td>
<td>Yes (Need Consent)</td>
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<td>1 Acre</td>
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<td>10k sq. ft.: 2 colonies</td>
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<td></td>
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<td>Each add'l 10k sq. ft.: 1 colony</td>
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<tr>
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### Footnotes:

- Yorkville permits a maximum of 12 licensees issued within the City and each licensed property must be at least 1,000’ from one another.
- Yorkville requires $50 for new licenses, $25 for renewals.
- Evanston permits a maximum of 8 licensees issued per ward within the City.
- West Dundee requires a flyway barrier colonies within 20’ of a property line.
- Oak Park does not require notification but no permit can be issued within 150’ of any address where a resident has an allergy to bee stings documented by a licensed physician and registered with the Village.
- In Carpentersville and McHenry County, flyway barriers are required for colonies within 25’ of a property line.
- Lake County requires a 10’ setback from property lines and 30’ from any existing structure on any adjoining parcel such as a house.
- Lake County requires a flyway barrier on parcels of 40,000 square feet or less, where the beehive entrance is oriented to an exterior property line.
- Will County allows beekeeping in residential districts only as a Special Use.

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***According to the American Beekeeping Federation, one bee colony is capable of producing anywhere from 50lbs to 240lbs of honey each year depending on conditions (weather, how well maintained a colony is, the site conditions, etc.).***
The flyaway barrier directs the bees quickly into the sky and away from pedestrians. It can be composed of dense vegetation or man-made materials, so long as the bees are forced to fly over the structure.

“A flyaway barrier shall be at least six (6) feet in height, consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends twenty-five (25) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the apiary.”
Beekeeping Best Management Practices

Comply with all homeowner association, local, state, and federal ordinances, regulations, and laws pertaining to beekeeping.

Maintain strong, healthy, populous colonies
   a. Remove or securely seal all empty hive equipment.
   b. Remove or combine all weak colonies.
   c. Treat or remove all disease and/or pest infested colonies.
   d. Report disease and/or pest infested colonies to the Department of Agriculture

Practice proper management and control techniques to prevent colonies from swarming.

Maintain all colonies at least 10 feet away from property lines.

Place all colonies less than 40 feet from property lines behind a barrier no less than 6 feet in height. Barriers should be of sufficient density to establish bee flyways above head height.

Maintain a water source within 50 feet of colonies or less than one-half the distance to the nearest unnatural water source, which ever is closest for urban and suburban apiaries.

Remove or relocate an apiary that is within 50 feet of any animal that is tethered, penned, kenneled, or otherwise prevented from escaping a stinging incident.

Avoid opening or disturbing colonies when neighbors or the general public are participating in outside activities or using machinery within 150 feet of an apiary.

Maintain colonies with honey bee races certified as European honey bees (EHB).
   a. Purchase queens, packaged bees, nucleus colonies, or established hives from certified EHB suppliers.
   b. Re-queen when making divisions and splits of established colonies.
   c. Replace queens in all captured or trapped swarms within 30 days.
   d. Replace queens in all colonies every two years.
   e. Mark or clip queens prior to introduction to splits, swarms, and colonies.
   f. Replace all unmarked or unclipped queens within 21 days of discovery.

Replace queens and destroy all drone brood in colonies exhibiting defensive behavior that may be injurious to the general public or domesticated animals.
   a. Report all colonies suspected of being overly defensive or non-EHB to the Department.
   b. Collect and submit samples of worker bees from the brood area of suspected non-EHB colonies to the Department.
   c. Depopulate within 7 days of notification all colonies determined to be from a pure or hybrid non-EHB race.

Obtain queens from suppliers located outside of Africanized honey bee (AHB) infested areas and localities adjacent to AHB infested areas.

In the event that AHB is shown to occur in a locality where an apiary is located:
   a. Annually replace queens in all colonies with queens produced from certified EHB stock.
   b. Maintain a copy of EHB certification for all queens purchased.
   c. Encourage the destruction of all captured or trapped swarms.
   d. Re-queen, within 14 days with certified EHB queens, any swarms captured or trapped in localities adjacent or in proximity to an AHB infested area.
   e. Maintain and monitor at least one baited trap or hive in the vicinity of each apiary located in an AHB infested area

Source: Beekeepers Guild of Southeast Virginia
INTRODUCTION
Beekeeping has become increasingly popular. Although generally docile, honeybees (Apis mellifera) can and may sting when they perceive they are being threatened (normally at their beehive). Responsible management is therefore necessary to avoid creating problems for neighbors, particularly in an urban setting.

Under the Illinois Bees and Apiaries Act, the Illinois Department of Agriculture (IDoA) inspects honeybee colonies as a service to the beekeeping industry. The purpose of the inspections is to determine the general health of honeybee colonies. During the course of an inspection, IDoA Apiary Inspectors closely examine beehives to detect diseases and pests and to provide advice on needed treatments. Inspections are provided free of charge to beekeepers around the state. To access more information concerning the Illinois Bees and Apiary Program, go to www.agr.state.il.us/programs/bees/index.html

The Act also requires beekeepers to register their colonies with the IDoA. Registration is as simple as completing a brief one-page form and mailing it to the Illinois Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, IL 62794-9281. A registration certificate is provided to beekeepers who register with the IDoA. There is also no charge for registering honeybee colonies with the IDoA. To download a registration form, go to www.agr.state.il.us/programs/bees/beekeep.pdf

GENERAL BEST PRACTICES

Education
The first and most critical step in responsible beekeeping is education. All beekeepers should have a solid understanding of honeybee biology and basic beekeeping methods. The Illinois State Beekeepers Association (ISBA) also encourages all beekeepers to join the ISBA as well as a local association. We strongly suggest that new beekeepers take a beginning beekeeping course and read several different beekeeping guides. Many local associations offer honeybee classes and/or will mentor beekeepers. Beekeepers should stay informed of recommended changes in beekeeping practices, threats to honeybee health and government regulations.

Colony Temperament /Queens
While generally docile, honeybees can sting. A colony’s temperament is determined by its queen’s characteristics. Any colony exhibiting unusually defensive behavior (stinging or attempting to sting without provocation) or an excessive swarming tendency should be requeenred as soon as possible.

Beekeepers should evaluate their queens on a regular basis for performance and hive gentleness. Only queens of European origin should be used. Queens should only be obtained from the most reliable sources. Local sources, where available, are preferred in order to reduce the chances of introducing Africanized honeybees and to ensure that the queen is well suited to the climate.
Hive Placement
Beekeepers should comply with all homeowner association and local ordinances and regulations pertaining to beekeeping. Correct placement of hives is a very important consideration for responsible beekeeping in urban and suburban settings. Hives must be placed in a quiet area of the lot and not directly against a neighboring property unless a solid fence or dense plant barrier of six feet or higher forms the property boundary. Hives should be kept as far away as possible from roads, sidewalks and rights of way. Flight paths into the hive should remain within the owner's lot. Barriers, including solid fencing, hedges and shrubs more than six feet high may be used to redirect the bees' flight pattern.

Considerate Hive Management
Before setting up your hives it is a good idea to inform your neighbors where you intend to place the hives. Respond to and discuss their concerns; an informed neighbor is more likely to be an understanding neighbor. Beekeepers are encouraged to post signs to alert neighbors and passersby to the presence of their hives; generally it is best to place such signs so that they are only in view when the public would otherwise be able to view the hives.

Beekeepers should take into account that weather conditions influence bee behavior and plan to work bees when conditions are favorable. They should make sure that neighbors are not outdoors when they open hives and should perform hive manipulations as quickly as possible with minimum disturbance to the bees. Extended hive manipulations, particularly when removing honey, should be carefully planned to accommodate neighbors' activities. A smoker should be used when working bees. Hive entrances should be smoked before mowing or trimming in the hive area. Clippings and exhaust should be directed away from hive entrances.

Provision of water
Beekeepers should provide water for their bees before locating them in their yard. Bees prefer a sunny place with surface moisture, for example wet sand or gravel or the edge of a birdbath. If you establish such water sources, your bees will become habituated to them and will be less likely to visit swimming pools or hot tubs. Remember that in very hot weather, bees use a large amount of water to maintain temperature and humidity within the hive.

Swarming
While swarming is natural honeybee behavior, it is one that should be prevented or minimized, especially in urban and suburban settings. Two primary causes of swarming are congestion and poor ventilation in the hive. To avoid these conditions, beekeepers should consider:
- Brood chamber manipulation
- Colony division
- Addition of supers for brood rearing and honey storage
- Replacement of old or failing queens
These and other swarm management practices are explained in detail in most good beekeeping textbooks.
When a swarm occurs, efforts should be made to collect the swarm. Swarms captured from locations where the origin of the bees may be questionable should be monitored frequently for abnormal defensiveness.

**Robbing Behavior**
When nectar is scarce, honeybees may rob honey from other hives which makes them appear more defensive. Under such conditions, beekeepers should work hives for only short periods of time and only if really necessary. Exposed honey outdoors often encourages robbing. All empty hive equipment should be removed or securely sealed. Areas used for honey extraction should be bee-proofed to prevent robbing situations.

**Disease Control**
There are a number of honeybee diseases and pests which cause concern for beekeepers. Some diseases, like American Foulbrood, are extremely contagious; beekeepers should be extremely cautious about mixing hive equipment and purchasing used equipment for this reason. It is incumbent on beekeepers to manage all disease and pests, including parasitic mites, to ensure colony health and honey quality.

**AFRICANIZED HONEYBEE**
The Africanized honeybee ("AHB") has expanded its range from South America and arrived in the United States around 1990. Since that time, AHB have colonized in several southern states including Florida, Texas and California. It is not yet known whether AHB will be able to establish in cooler climates.

**Management to Avoid AHB Introduction and Establishment**
The recommended techniques intended for maintenance of European stock include:

- Purchase queens, packaged bees, and nucleus colonies from reputable sources outside of Africanized honey bee (AHB) infested areas or localities adjacent to AHB infested areas. The current distribution in the U.S. can be seen at http://ars.usda.gov/AHBmap
- Bi-annual requeening of hives and requeening of swarms with certified European stock purchased from reliable sources (local when possible).
- Maintaining requeening records and purchase documentation
- Monitoring the behavior of the bees and replacing the queen immediately if the hive becomes difficult to manage.

Any beekeeper who witnesses unusually defensive behavior should take the following steps:

- Contact the Illinois Department of Agriculture Apiary Inspector for your area [www.agr.state.il.us/programs/bees/inspectors.html](http://www.agr.state.il.us/programs/bees/inspectors.html) or the IDoA’s Apiary Inspection Supervisor at 217/772-6297.
- Requeen immediately with certified European stock
- Monitor requeened hive for continued defensiveness
Best Management Practices for Beekeeping in Illinois
Illinois State Beekeepers Association
www.ilsba.com
(March, 2013)

Treat all honey bees with respect. Treating all honey bees with respect is a fundamental pillar of beekeeping as honey bees are indispensable and important to the human food supply.

ACKNOWLEDGMENTS
The Illinois State Beekeepers Association would like to thank the Ohio State Beekeepers Association, the Maine State Beekeepers Association, New York City Beekeepers Association, and the many other beekeeping associations and agricultural organizations whose work and effort formed the foundation of this document.

DISCLAIMER
This document is and always will be a work in progress, intended for regular update and revision. It offers guidelines for responsible beekeeping in the State of Illinois but is not intended to provide legal advice.
#14-33 Bee Keeping
Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo.

Fran Klaas thinks it’s a good thing to have bees.

Brian Jahp has no comments at this time.

Aaron Rybski stated if they were selling it they would have to follow state requirements.

Brian Holdiman asked about who would inspect these items and what if there are violactions. Planner Zubko stated the PBZ Department would be and asked if in his opinion we should charge more? Mr. Holdiman stated not at this time, he is fine with how it is written.

With no further comments Brian Japh made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

#14-37 Home Occupations- Landscape Business
Planner Angela Zubko stated within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had A LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use, the fact that all others need to be located on a State, County or Collector Highway and we’ve had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations in the definitions which are shown in red on the memo and also on the affidavit that home occupations sign.

Brian Holdiman agrees with this text amendment.

Aaron Rybski has no objection.

Brian Jahp has no comments at this time.

Fran Klaas agrees with Brian Holdiman.

With no further comments Aaron Rybski made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD-
14-26 Critter Care- Passed at the 10.21.14 County Board meeting
14-28 Hively Landscaping- withdrawn due to all the opposition and the Village of Plainfield denying the request

PUBLIC COMMENT- There were no comments.

OLD BUSINESS- None
Mr. Nelson asked about the comp plan of Plattville. Planner Zubko stated they do and it calls for residential.

Larry Nelson made a motion to approve the map amendment from A-1 to R-1. Vern Poppen seconded the motion. With a roll call vote all were in favor and this will move onto the next ZBA meeting next Monday.

**#14-33 Bee Keeping**
Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo. The ZPAC Committee recommended approval with no changes.

Larry Nelson does not have a question in the R-1 district but his concern is if you’re in a subdivision are we going to run the risk of putting in inadvertent nuisance into the subdivision?

Roger Bledsoe stated by coincidence he ran into a beekeeper in the Pullman district and him and his next door neighbor have 4 and 6 hives which their lots being 26’ wide and 19’ wide respectively and have only had one complaint over the years. You have to leave about 60 lbs. of honey over the winter, you need about 4 hives for an individual family to make it worthwhile to keep the bees. Bees like to stay within a ¼ mile radius and up to 4 miles but prefer to stay close.

Mr. Nelson suggested getting approval from the HOA stating they are okay or not okay with the proposal and if they state there is not an HOA in writing and there is one we can deny it. His reservation is in the R-2 and R-3 in a subdivision, not the more sporadic R-2, and R-3 zoning lots in the County.

Larry Nelson made a motion to approve the text amendment with the additional condition to include the HOA approval, Vern Poppen seconded the motion. With a roll call vote all were in favor and this will move onto the next ZBA meeting next Monday.

**#14-37 Home Occupations - Landscape Business**
Planner Angela Zubko stated within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had A LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use, the fact that all others need to be located on a State, County or Collector Highway and we've had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations in the definitions which are shown in red on the memo and also on the affidavit that home occupations sign.

The ZPAC Committee recommended approval with no changes.
With no further discussion Tom LeCuyer made a motion, seconded by Scott Cherry to approve the findings of fact as written and approve the variance. With a roll call vote of 7-0 all were in favor and the variance was approved.

**#14-33 Bee Keeping**

Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo. The 2PAC Committee recommended approval with no changes and the Plan Commission just wanted to add one condition on the application to verify if there is an HOA or not and if there is they need approval from the HOA first, if there is no HOA they need to put that in writing and sign it so the County cannot be held responsible.

Ms. Clementi asked while in reviewing other counties if they mention liability insurance or is that not even our concern? Planner Zubko stated it’s not really our concern as it’s the same thing if anyone gets hurts doing anything on someone else’s property. Ms. Clementi asked if the neighbor is allergic. Planner Zubko stated there is a condition that if a neighbor objects the hives must be located further from their home and also there is the fly away barrier (solid fence with signage) which also should prevent accidents.

Donna McKay wanted to make sure if it is zoned A-1 none of these conditions apply, Planner Zubko stated that is correct.

Mr. Jeff Wilkins introduced himself and also explained he had the same hesitancy as Planner Zubko on this topic.

Since there is no one left in the audience Chairman Randy Mohr opened and closed public testimony.

With no further discussion Dick Whitfield made a motion, seconded by Donna McKay to approve the text amendment including the HOA approval. With a roll call vote of 6-1 in favor and the text amendment will be forwarded on. Karen Clementi voted no stating she is of the opinion it is a bad idea in residential districts.

**#14-37 Home Occupations- Landscape Business**

Planner Angela Zubko stated this will be continued till next month as the Plan Commission wanted to makes some changes to the text before forwarding it on.

**REVIEW PBZ APPROVALS BY COUNTY BOARD & CHANGES-** None

**NEW BUSINESS/OLD BUSINESS** – Review and approve 2015 meeting dates- Dick Whitfield approved the 2015 meeting dates as presented, seconded by Scott Cherry. All were in favor and the meeting dates have been approved.

**PUBLIC COMMENT-** There were no members in the audience to comment.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS-** Next meeting will be on January 5, 2015

Tom LeCuyer made a motion to adjourn the ZBA meeting, Scott Cherry seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 7:33 p.m.
ANIMALS

(510 ILCS 20/) Bees and Apiaries Act.

(510 ILCS 20/1) (from Ch. 8, par. 123)
Sec. 1. This Act shall be known and may be cited as the 
"Bees and Apiaries Act".
(Source: P.A. 82-722.)

(510 ILCS 20/1a) (from Ch. 8, par. 123a)
Sec. 1a. Definitions. As used in this Act, unless the 
context otherwise requires:
"Abate" means the destruction or disinfection of bees, 
colonies, or items of bee equipment by burning or by treatment 
specified by the Department.
"Apiary" means a place where one or more hives or colonies 
of bees are kept.
"Bee diseases" means any infectious or contagious diseases 
of bees as specified by the Department, including but not 
limited to American foulbrood.
"Bee equipment" means hives, supers, frames, or any other 
devices used in beekeeping.
"Bee parasites" means any parasite of bees as specified by 
the Department.
"Beekeeper" means a person who keeps bees.
"Beekeeping" means the raising or producing of bees, 
beeswax, honey, and by-products and the transporting of bees, 
colonies or items of bee equipment.
"Bees" means the common honey bee, Apis mellifera (L) in 
any stage of its life cycle.
"Colony" means the entire honey bee family or social unit 
living together.
"Compliance agreement" means a written agreement between a 
registrant or other person handling or moving bees, colonies 
or items of bee equipment and the Department, in which the 
former agrees to specified conditions or requirements so as to 
remain in compliance with the terms of this Act.
"Department" means the Illinois Department of Agriculture.
"Director" means the Director of the Illinois Department 
of Agriculture or his or her authorized agent.
"Exotic strain of bees" means any developed strain of bees 
not known to be present ordinarily in the State as specified 
by the Department.
"Hive" means a frame hive, box hive, box, barrel, log gum, 
skep or any other receptacle or container, natural or 
artificial, or any part thereof, which is used or employed as 
a domicile for bees.
"Inspection certificate" means an official record stating 
that the bees, colonies, or items of bee equipment have been 
inspected by an inspector of apiaries or other officer charged 
with similar duties from this State or other states for bee 
diseases, bee parasites or other nuisances and found to be in 
compliance with this Act or Illinois entry requirements.
"Nuisance" means bees, colonies, or items of bee equipment 
where bee diseases, bee parasites or exotic strains of bees 
exist; or hives that cannot be readily inspected; or colonies 
that are not registered.
"Packages" means bees with or without food supply in special containers for their transportation.

"Permit" means a statement of authorization to allow bees, colonies, or items of bee equipment to enter the State or to move within the State whether or not an inspection certificate is available.

"Person" means any individual, firm, partnership, association, corporation, or other organized group of persons whether incorporated or not.

"Registrant" means the person applying for registration of the apiary or apiaries and the colonies of bees.

"Registration" means the recording of the registrant's name, address, apiary location and any other pertinent information on a printed form prescribed by the Department. (Source: P.A. 88-138.)

(510 ILCS 20/2) (from Ch. 8, par. 124)

Sec. 2. (a) Every person keeping one or more colonies of bees shall register with the Department annually.

(b) Every person keeping one or more colonies of bees may be required to post his or her registration number in a prominent place within each apiary under his or her control. (Source: P.A. 88-138.)

(510 ILCS 20/2-1)

Sec. 2-1. Nuisances. All bees, colonies, or items of bee equipment, where bee diseases, bee parasites or exotic strains of bees exist; or hives that cannot be readily inspected; or colonies that are not registered, are declared to be nuisances to be regulated as prescribed by the Department.

If the Department finds by inspection that any person is maintaining a nuisance as described in this Section, it shall proceed to regulate the nuisance by methods or procedures deemed necessary for control in accordance with rules and regulations of the Department.

If the owner or beekeeper cannot be found or will not consent to the terms for regulation of the nuisance, the Department shall notify in writing the owner or beekeeper, disclose the fact that a nuisance exists, and prescribe the method by which the nuisance may be abated. The notice declaring that a nuisance exists and ordering its abatement shall include:

(1) a statement of conditions constituting the nuisance;

(2) establishment of the time period within which the nuisance is to be abated;

(3) directions, written or printed, pointing out the methods that shall be employed to abate the nuisance;

(4) a statement of the consequences should the owner or beekeeper fail to comply.

The notice may be served personally or by certified mail with a return receipt requested. The directions for abatement of a nuisance may consist of a printed circular, bulletin or report of the Department, the United States Department of Agriculture or others, or an extract from such document.
If the person so notified refuses or fails to abate the nuisance in the manner and in the time prescribed in the notice, the Department may cause the nuisance to be abated. The Department shall certify, to the owner or beekeeper, the cost of the abatement. The owner or beekeeper shall pay to the Department any costs of that action, within 60 days after certification that the nuisance has been abated. If the costs of abatement are not remitted, the Department may recover the costs before any court in the State having competent jurisdiction.  
(Source: P.A. 98-756, eff. 7-16-14.)

(510 ILCS 20/2-2)  
Sec. 2-2. Indemnity. If State funds are available for paying indemnity, the Department shall pay to the registrant of the bees an indemnity of $25 for each colony destroyed by the Department.  
(Source: P.A. 88-138.)

(510 ILCS 20/2-3)  
Sec. 2-3. (Repealed).  
(Source: P.A. 88-138. Repealed by P.A. 89-154, eff. 1-1-96.)

(510 ILCS 20/2-4)  
Sec. 2-4. Right of entry. The Department shall have the power to inspect or cause to be inspected from time to time any bees, colonies, items of bee equipment or apiary. For the purpose of inspection, the Director is authorized during reasonable business hours to enter into or upon any property used for the purpose of beekeeping.  
(Source: P.A. 88-138.)

(510 ILCS 20/2a) (from Ch. 8, par. 124a)  
Sec. 2a. Intrastate transportation.  
(a) No person shall transport a colony of bees or items of used bee equipment between counties within this State without a permit or compliance agreement which shall be issued based upon an inspection certificate from the Department.  
(b) A colony of bees or items of used bee equipment transported in violation of this Section may be held and inspected by the Department, ordered returned to the place of origin, or abated.  
(Source: P.A. 88-138.)

(510 ILCS 20/2b) (from Ch. 8, par. 124b)  
Sec. 2b. Import.  
(a) No person shall transport a colony of bees or items of used bee equipment into this State from another State or country having an inspector of apiaries or other office charged with similar duties, without a permit or compliance agreement which shall be issued based upon an inspection certificate. Such colony or items of used bee equipment may be
subject to inspection by the Director upon entry into the State.

(b) No person shall transport a colony of bees or items of used bee equipment into this State from another State or country not having an inspector of apiaries or other officer charged with similar duties, unless the shipper or consignee has obtained from the Department a permit or compliance agreement for the shipment into the State. Such colonies or items of used bee equipment may be inspected by the Director after arrival in the State. A colony of bees or items of used bee equipment found to be infected with bee diseases or infested with bee parasites, or exotic strains of bees shall be ordered returned to the place of origin or abated.

(c) A colony or item of used bee equipment transported in violation of this Section may be held and inspected by the Department, ordered returned to the place of origin, or abated.

(Source: P.A. 88-138.)

(510 ILCS 20/2b-1)

Sec. 2b-1. Transportation of packaged bees.

(a) No person shall transport packaged bees for sale between counties within this State without an inspection certificate.

(b) No person shall transport packaged bees for sale into this State from another State or country without an inspection certificate.

(Source: P.A. 88-138.)

(510 ILCS 20/2b-2)

Sec. 2b-2. Inspection of bee colonies for sale or trade.

The Department may require colonies of bees or items of used bee equipment being given, sold, leased, traded, or offered for sale in Illinois to be inspected.

(Source: P.A. 88-138.)

(510 ILCS 20/2c) (from Ch. 8, par. 124c)

Sec. 2c. Upon a finding that there exist in this State, or in any other state, territory, district, province or country bee diseases, bee parasites, or exotic strains of bees, the Director may impose and enforce a quarantine restricting the transportation of bees, colonies, or items of used bee equipment capable of carrying bee diseases, bee parasites or exotic strains of bees into, within or throughout the State. In carrying out the provisions of this Section or any quarantine, the Director may, at the expense of the owner, when an infestation, infection or nuisance is located, seize or abate bees, colonies, or items of used bee equipment.

When the Director finds that there exist in any other state, territory, district, province or country bee diseases, bee parasites or exotic strains of bees, with respect to which the United States Secretary of Agriculture has not established a quarantine, and that the bee diseases, bee parasites or exotic strains of bees coming therefrom into this State are
likely to convey such diseases, infestations or nuisances, the Director shall report such fact to the Governor. The Governor may thereupon, by proclamation, prohibit the transportation into this State of such bees, colonies, or items of used bee equipment except under such regulations as may be prescribed by the Department.
(Source: P.A. 91-357, eff. 7-29-99.)

(510 ILCS 20/3) (from Ch. 8, par. 125)
Sec. 3. The Department shall, each July, make a report to the Governor and also to the Illinois State Beekeepers' Association, stating the number of apiaries visited, the number of those diseased and treated, and the number of colonies of bees abated.
(Source: P.A. 88-138.)

(510 ILCS 20/3a) (from Ch. 8, par. 125a)
Sec. 3a. The Director may cooperate with any other agency of this State or its subdivisions or with any agency of any other state or of the federal government for the purposes of carrying out the provisions of this Act and of securing uniformity of regulations.
(Source: P.A. 82-722.)

(510 ILCS 20/4) (from Ch. 8, par. 126)
Sec. 4. (Repealed).
(Source: Repealed by P.A. 88-138.)

(510 ILCS 20/4a)
Sec. 4a. (Repealed).
(Source: P.A. 88-138. Repealed by P.A. 89-154, eff. 1-1-96.)

(510 ILCS 20/5) (from Ch. 8, par. 126.1)
Sec. 5. The Director is authorized to promulgate rules and regulations for the enforcement and administration of this Act.
(Source: P.A. 82-722.)

(510 ILCS 20/6)
Sec. 6. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act and the Department of Agriculture administrative hearing rules shall apply to this Act.
(Source: P.A. 89-154, eff. 1-1-96.)

(510 ILCS 20/7)
Sec. 7. Administrative hearings and penalties. When an administrative hearing is held, the hearing officer, upon determination of a violation of this Act or rules or
regulations promulgated under it, may levy the following administrative monetary penalties:
(1) $50 for failure to register annually with the Department.
(2) $50 for failure to post registration number in the apiary.
(3) $50 for transporting bees intrastate without a permit.
(4) $100 for maintaining hives that cannot be readily inspected.
(5) $100 for transporting bees interstate without a permit.
(6) $300 for failure to abate colonies infected with bee diseases or exotic strains of bees.
(7) $500 for violation of a quarantine.
(8) $100 for any other violation of this Act.
In the case of a second or subsequent violation within 3 years of the first offense, the penalty shall be doubled.
(Source: P.A. 89-154, eff. 1-1-96.)

(510 ILCS 20/8)
Sec. 8. Investigation of applicants and registrants; notification of hearing; subpoenas.
(a) The Department may, upon its own motion, and shall, upon the verified complaint in writing of any person setting forth facts, investigate the actions of any applicant, registrant or any person who may be in violation of this Act. At least 10 days prior to the date set for hearing the Department shall notify in writing the person, hereinafter called the respondent, that on the date designated a hearing will be held to determine whether the respondent is in violation of the Act, and shall afford the respondent an opportunity to be heard in person or by counsel. Written notice shall be served personally on the respondent, or by certified mail, return receipt requested, sent to the respondent's business address as shown in his or her latest notification to the Department.
(b) The Department, over the signature of the Director, may subpoena any persons in this State and take testimony orally, by deposition, or by exhibit, in the same manner and with the same fees and mileage as prescribed in judicial proceedings in civil cases.
(Source: P.A. 89-154, eff. 1-1-96.)

(510 ILCS 20/9)
Sec. 9. Administrative review. All final administrative decisions of the Department are subject to judicial review under Article III of the Code of Civil Procedure. The term "administrative decision" has the meaning ascribed to that term in Section 3-101 of the Code of Civil Procedure. Proceedings for judicial review shall be commenced in the circuit court of any county permitted by Section 3-104 of the Code of Civil Procedure.
(Source: P.A. 89-154, eff. 1-1-96.)
ORDINANCE # 2015-____

AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE
TO BEE KEEPING IN RESIDENTIAL DISTRICTS

WHEREAS, Kendall County regulates development under authority of its Zoning Ordinance
and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the
public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a
public hearing held before the Kendall County Zoning Board of Appeals on December 8,
2014;

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections
8.02.B- “R-1 One-family estate residence district- Conditional Uses,” Section 8.07.C- “R-2
One-family residence district- Conditional Uses” & 8.08.C- “R-3 One-family residence
district- Conditional Uses” of the Kendall County Zoning Ordinance as provided:

Conditional Use in the R-1, R-2 and R-3 Districts

Beekeeping with the following conditions:
  a. Beekeeping and the honey produced from beekeeping shall be for personal use only
  b. Annual permit required with fee of $50 the first year the permit is issued and $25
each year after
  c. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
  d. No colony shall be permitted within a front yard setback
  e. All colonies must be setback at least 30’ from any rear or side yard lot line except
    when abutting a right of way of a street or railroad the colony must be a minimum of
    5’ from the rear or side yard lot line (as long as there is no sidewalk or pathway).
  f. All colonies within 100’ of an adjoining home shall require a flyway barrier with a 6’
    minimum height
  g. All colonies shall require a minimum 4’ fence surrounding the perimeter of the
    colonies or surrounding the perimeter of the entire property. Fencing must have a
    locking gate with caution signage on each gate.
  h. Notification shall be sent by permit applicant to all adjacent property owners.
    Notification shall be sent via certified mail or certificate of mail and proof of mailing
    shall be submitted to the PBZ Department. Any property owner who receives
notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100’ of the adjoining home of objecting property owner.

i. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.

j. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100’ of the residence of the previously objected property but shall maintain a distance of at least 30’ from all property lines at all times unless abutting a right of way in which the colony can be placed with 5’ of the property line.

k. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

l. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

m. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

n. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

o. All approved permits shall comply with the Bees and Apiaries Act of Illinois (510 ILCS 20)

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of March, 2015.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
John Shaw
COUNTY OF KENDALL

RESOLUTION NO. 2015-_____

A RESOLUTION REQUIRING THE AUDIO RECORDING OF ALL STANDING COMMITTEE MEETINGS

WHEREAS, the Kendall County Board recognizes the importance and the need for an open and transparent government to serve its residents; and,

WHEREAS, the Kendall County Board is committed to transparency in the conduct of the public’s business; and

WHEREAS, the Kendall County Board has determined that it is in the best interest of the county to retain an audio recording of all standing committee meetings; and

WHEREAS, Kendall County shall retain audio recordings of standing committees for a period of three years; and

WHEREAS, the Kendall County Board shall not replace the official meeting minutes compiled by the clerk with audio recordings but utilize technology to assist in promoting accountability and transparency; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

The audio recording of all standing committee meetings is hereby adopted by the County Board of Kendall County.

ADOPTED BY THE COUNTY BOARD OF TRUSTEES OF KENDALL COUNTY

THIS SEVENTEENTH DAY OF MARCH, 2015.

Attest:

John A. Shaw
County Board Chairman

Debbie Gillette
County Clerk