



# Village of Northbrook

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## COMMUNICATIONS & LEGISLATION COMMITTEE

NORTHBROOK VILLAGE HALL, 1225 CEDAR LANE  
**FEBRUARY 24, 2015, 6:05 P.M., TERRACE ROOM**

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The Communications & Legislation Committee of the Village of Northbrook Board of Trustees will hold a meeting on Tuesday, February 24, 2014 at 6:05 p.m. in the Terrace Room of the Village Hall, 1225 Cedar Lane, Northbrook, Illinois. The following will be discussed.

### MEETING AGENDA

1. CALL TO ORDER
2. HEAR FROM THE AUDIENCE
3. DISCUSSION – Audit of Adopted Food Truck and Ice Cream Truck Regulations and Discussion of Possible Amendments

#### ATTACHMENTS:

- Staff Memo on Food Truck and Ice Cream Truck Regulations
- Minutes of the May 27, 2014 Communications and Legislation Committee Meeting
- Overview of Major Food Truck Regulations Adopted May 2014
- Correspondence
- Mobile Food Service Establishment Operations and Parking Maps
- Ordinance Regarding the Regulation of Mobile Food Service Establishments

4. DISCUSSION – Review of Wildlife Ground Feeding Municipal Code Regulations

#### ATTACHMENTS:

- Staff Memo on Wildlife Ground Feeding Regulations
- Municipal Code Survey of Regulations of the Feeding of Wild/Feral Animals
- Correspondence

5. ADJOURN

**Kathryn Ciesla, Chair**  
Communications/Legislation Committee

**Members:** Trustee Heller  
Trustee Israel

Village of Northbrook  
Cook County, Illinois  
February 24, 2015

**Note:** A light dinner will be provided for Board members and Staff prior to the meeting.

The Village of Northbrook is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Greg Van Dahm or Debbie Ford (847-664-4014 and 847-664-4013, respectively) promptly to allow the Village of Northbrook to make reasonable accommodations for those persons. Hearing impaired individuals may call the TDD number, 564-8645, for more information.



# MEMORANDUM

## VILLAGE OF NORTHBROOK

### DEVELOPMENT AND PLANNING SERVICES DEPARTMENT

**TO:** RICHARD A. NAHRSTADT, VILLAGE MANAGER  
**FROM:** MICHAEL STRONG, MANAGEMENT ANALYST  
**DATE:** February 19, 2015  
**SUBJECT:** Audit of Adopted Food Truck and Ice Cream Truck Regulations

#### INTRODUCTION

On February 24, 2015, the Communications & Legislation Committee is scheduled to conduct an audit of Ordinance 2014-30, which amended Section 13 of the Municipal Code establishing new regulations for mobile food service establishments ("MFSE"). The Committee last discussed this matter during a meeting on May 27, 2014. As noted in the minutes from that meeting (copy included as an attachment to this report) the Committee recommended that an audit of the Ordinance be performed in the next year.

#### UPDATE ON CURRENT BUSINESS LANDSCAPE

In 2014, the Village issued a total of 11 MFSE business licenses. Of these licensees, six (6) were classified as type III licenses, or traditional food truck operators. The following table provides an overview on the number of mobile food service licenses that have been issued since 2011.

**Table 1: Mobile Food Service Establishment Licenses (2011-2014)**

Risk Type	Type of Food	2011	2012	2013	2014
Type I	Pre-packaged frozen food only	2	2	2	2
Type II	Hot/Cold pre-packaged food or beverages	5	8	7	3
Type III	Hot/Cold food prepared to order	1	3	3	6
<b>Total Licenses Issued</b>		<b>8</b>	<b>13</b>	<b>12</b>	<b>11</b>

The Village has seen a growing number of licenses issued to traditional food truck operators since 2012. This past year, Northbrook welcomed four first-time food truck (MFSE Type III) license holders to the community including Louie B. Fresh (Northbrook, IL), RACO (Melrose Park, IL), Tailgater Toby BBQ Café (Kansas City, MO), and Toasty Cheese (Schaumburg, IL).

#### FEEDBACK RECEIVED REGARDING ADOPTED REGULATIONS

Village staff has reached out to the Park District, School Districts, Chamber of Commerce membership and the Industrial and Commercial Development Commission (ICDC) to solicit feedback on the adopted food truck regulations. Among the concerns and issues raised, include:

- **Public Address (PA) System Loudness** – This past summer, the Village received numerous complaints concerning the sound level for public address systems. Complaints that were received occurred in conjunction with ice cream trucks operating adjacent to outdoor events near the Village Green, or on residential streets near Meadowhill Park. The ICDC echoed that noise levels from ice cream truck vendors seem to far exceed the Village's current noise regulations.
- **Downtown Parking during Special Events** – Vendors have difficulty understanding the parking requirements when there is a special event in the downtown (especially for events that do not take place at the Village Green, such as the Farmer's Market and Sidewalk Sale events). The current regulations impose a 500-foot distance requirement from the property line of which a permitted special event is taking place. Police officers, who generally respond to these inquiries and complaints, have expressed difficulty communicating the on-street parking restrictions under this provision.
- **Downtown Parking** – Risk Type I (Pre-packed frozen food) MFSE's have expressed their belief that the downtown parking restrictions are overly restrictive. The current regulations prohibit these types of vendors from operating in areas adjacent to the Village Green; which significantly impacts their business prospects. Currently, MFSE Risk Type I vendors are prohibited from parking in the downtown area, subject to local parking restrictions.
- **Business Activity on Private Property** – The Park District has seen an increase in uninvited MFSE activity on park property this past summer. This includes unwelcomed attendance adjacent to the Village Green, Meadowhill Park, and the Northbrook Sports Center.

In addition to this brief summary of issues, the ICDC met on October 28, 2014 to review and discuss the adopted food truck regulations. During this meeting, the ICDC concluded that since the regulations have only been in place for a short period of time they would not advise making any amendments.

#### **INFORMATION INCLUDED FOR MEETING**

The Village has reached out to and invited several MFSE license holders, School Districts, and the Park District, to the meeting on February 24, 2015. To help guide the Village Board's discussion during the February 24 meeting, staff is including the following materials:

- **Matrix Summarizing the Village's MFSE Regulations.** Staff has created a table that outlines the major categories (i.e. license, operational, locational, health/sanitation) of the Ordinance and has incorporated comments or issues that have been identified this past year as they relate to each provision.
- **Public Commentary and Correspondence Concerning the Adopted Food Truck Regulations.** Email correspondence, and a letter received by a property owner in the downtown, have been compiled and attached to this staff report for Village Board review and consideration.
- **Downtown Parking Location Maps for General Parking and Special Events.** Staff has created separate maps outlining parking restrictions in the downtown for MFSE's to help explain the locational standards in the Ordinance.
- **Copy of Ordinance 2014-30.** A copy of the Ordinance adopting regulations, as amended and approved by the Village Board on May 27, 2014, has been attached.

## **DISCUSSION & DIRECTION**

Based on staff's review of the business climate and issues that have been raised over the past several months concerning food truck activity in Northbrook, some questions for the Committee to consider include:

- *Should MFSE Risk Type I (Pre-packaged frozen food) vendors be treated similar to the other vendors and be restricted concerning where they may park in the downtown?*
- *Should the Village amend, add, or eliminate the language in the Ordinance concerning an MFSE's operation within a minimum distance of the property line (or general boundary) of a special event?*
- *Should we reexamine our standards specifically with ice cream trucks in mind (volume of music, how long they may stay parked in one area, proximity to schools and parks, etc.)?*

Staff will be present at the February 24, 2015, Committee meeting to present an overview of the materials assembled in this packet and to answer any questions. If modifications are requested, staff will revise for consideration at a future meeting.

## **ATTACHMENTS**

- *Minutes from the May 27, 2014 Communication & Legislation Committee Meeting*
- *Matrix Summarizing the Village's Mobile Food Service Establishment Regulations*
- *Public Comments Concerning the Adopted Food Truck Regulations*
- *Downtown Parking Location Maps*
- *Adopted Ordinance 2014-30*

**APPROVED**  
**MINUTES OF A MEETING OF THE**  
**COMMUNICATIONS AND LEGISLATION COMMITTEE**  
**TERRACE ROOM**  
**VILLAGE OF NORTHBROOK**  
**May 27, 2014**

**CALL TO ORDER**

Trustee Heller called the meeting to order at 7:00 p.m. In attendance were Trustee Heller, and Trustee Israel. Staff present included Village Manager Richard Nahrstadt, Development and Planning Services Director, Tom Poupard, Development and Planning Services Management Analyst Mike Strong, Village Clerk Debra Ford, Assistant to the Village Manager Rob Sabo, and Recorder Judy Butch.

**HEAR FROM THE AUDIENCE**

None

**DISCUSSION – Proposed Food Truck Ordinance**

Management Analyst Mike Strong provided a handout to the Committee and provided an overview of topics discussed during the last meeting. He stated that a modification to the definition of Mobile Food Service Establishment was completed in order to capture ice cream trucks. He explained that vendors were now classified by risk factors. Management Analyst Strong then explained the categories and relevant operational regulations for each risk type of Mobile Food Service Establishment.

Village Attorney Stewart Weiss provided clarification between Risk Type Class II and III, and where they would be allowed to operate under the Ordinance.

The Committee had a brief discussion and voiced concern of a potential nuisance issue among the restaurant owners. The Committee recommended that an audit of the Ordinance be performed after a year.

Management Analyst Strong then mentioned the concern from District 28 regarding background checks for licensees. He stated that at this time, we do not require background investigations for food truck operators. A brief discussion took place. Village Clerk Ford noted that at a previous meeting the Committee decided since background checks are not conducted for any other business license holders, ice cream vendors would also not be required to have background checks.

Trustee Israel moved, seconded by Trustee Heller to recommend approval of the Ordinance to the Board of Trustees. On voice vote motion passed.

Trustee Israel moved, seconded by Trustee Heller to adjourn the meeting. On voice vote, motion carried and meeting was adjourned at 7:25 p.m.

/s/ Judy Butch  
Recorder

**Overview of Major Food Truck Regulations Adopted May 2014**

Type	Preliminary Regulations Proposed		Comments/Feedback	Amended Regulations	Adopted Regulations	Issues/Comments/Feedback	Notes
Licensing	Require mobile food vendor license application/permit	Require food truck to properly display the license at all times (easily identifiable)		N/A	Require mobile food vendor license application/permit	No issues/concerns raised to date	
	License Fees - \$70 license fee	Fee is too low based on the number of inspections needed and should be increased		Implement a "tiered" fee structure based on level of risk to the public.	License Fees based on risk type: Type 1 - \$70, Type 2 - \$140, Type 3 - \$210	No issues/concerns raised to date	
Operational	Time/Duration - Only between 7 am – 10 pm	School District 27 suggested 7 am-8 pm on weekdays, and 8am -8pm on weekends		N/A	Time/Duration - Only between 7 am – 10 pm (Monday-Friday); and 8 am - 10 pm (Saturday-Sunday)	No issues/concerns raised to date	
	Refuse/Recycling Containers – Required to provide refuse and recycling containers for patrons	All agree with this provision, and recommend they be responsible for cleaning the surrounding area (30-50 foot radius)		Patrons should have access to garbage/recycling containers	Refuse/Recycling Containers – Required to provide one refuse and one recycling containers for patrons; and are responsible for all litter/garbage w/n 50 feet	No issues/concerns raised to date	
	Noise Restrictions - (Ref. 16-49e(4))	No loudspeaker(s)			Noise Restrictions - (Ref. 16-49e(4))	Several complaints concerning the noise level of ice cream trucks; most likely they do not comply with current regulations	
	Signage Restrictions: - A-Frame signs allowed - No flashing/electronic signs - Illuminated signs only when stationary	Food trucks should abide by same sign regulations as restaurants and should not be allowed to use banners or a-frames without a temporary sign permit		Deferred discussion on this item until sign code regulations are reviewed by Village Board	Signage Restrictions - Unlawful for vendors to display or utilize signage that is not permanently affixed to the mobile food unit, unless a temporary sign permit is filed in accordance with the Zoning Code	No issues/concerns raised to date	
Locational	Downtown On-street Parking – Allowed between Meadow Rd. and Walters Ave.	1. Park District has pedestrian (park patron) safety concerns for allowable operations between Shermer Rd and Walters Ave. 2. Not allow any parking in downtown during special events or holidays 3. We have also reached out to the property owners along Meadow Road, but have not yet received their comments.		1. 500' ban from special events (measured from property line) 2. Create separate location restrictions for based on level of risk (i.e. Type 1, 2, 3) 3. Allow ice cream trucks more reign in residential areas; but limit in commercial areas	See Affixed Matrix concerning Allowable Locations for Operation	1. Ice Cream vendors believe regulations are too strict and negatively impact their business 2. Distance from events is difficult to enforce/understand for many vendors (Especially Farmer's Market) 3. Property Owners have stated that no on-street parking of trucks should be allowed in the Downtown	
	On-street Parking (Outside of Downtown) – Only allowed along Sunset Ridge Rd. (approx. 14 stalls on south side of road and east of Skokie Blvd.)	No comments				No issues/concerns raised to date; aside from ice cream trucks parking adjacent to parks (However, this is allowed on residential streets)	
	Private Parking Lots - With written Owner's Consent	Require food truck to display and/or have copy of signed letter by authorized agent				Park District has had several issues with ice cream trucks parking on private property	
	Buffer Zones (Outside of downtown) - Not within one hundred (100) feet of a brick and mortar food establishment	Too close – should be at least 200 feet					
Health/ Sanitation	Required Inspections – Require an inspection at time of business license application	Food Trucks should be held to the same standards as restaurants for health/sanitation		Will accept inspection reports from outside agencies	Required Inspections – Require an inspection at time of business license application, and in accordance with risk factor schedule, may accept outside agency inspection reports	Food trucks are rarely where they state they will be according to their license; requires Sanitarian to inspect in different jurisdictions	
	Proper Health Licenses – Required to submit copies of Food Handler License, Cook County and State Health License	Food Trucks should be held to the same standards as restaurants for health/sanitation			Proper Health Licenses – Required to submit copies of Food Handler License, Cook County and State Health License, may accept outside agency inspection reports	No issues/concerns raised to date	

## Strong, Michael

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**From:** Dale Duda <[REDACTED]>  
**Sent:** Friday, July 25, 2014 3:53 PM  
**To:** Poupart, Tom  
**Subject:** Re: traffic nightmare

Hi Tom,

The farmers market has NO food trucks and NOTHING to do with food trucks. There were no food trucks parked on Meadow near the farmers market last Wednesday or any day. We have an agreement with the property owner not to have food for consumption on-site in deference to the brick and mortar stores like Marcello's and Subway.

We are fiercely keeping to that agreement. So I have no idea what this person is talking about. At any given time there is plenty of parking in the lot as the spaces turn over relatively rapidly. We have NEVER had any "back ups" onto Cherry or Meadow.

Another puzzling thing: the market is never busy at 9 a.m. Doesn't pick up until 9:30 -10 ish. No one involved with the market blocks any intersections or is anywhere near Village Green Park-- truly a stretch on the complainer's part.

Looks like this person is not a fan of farmers markets so I guess we are the scapegoat. Cherry and Meadow is a retail district, after all. Maybe he is so used to Meadow Plaza being largely empty mid-week and now doesn't like it that people are actually coming to the downtown to shop. Good luck with this kind of vitriol!

Dale

P.S. Re: the "new auto parts store that SHOULD do away with at least the Farmer's Market" will have no affect on us or traffic. We're not anticipating a run on auto parts on Wednesday mornings and the tenant signed on knowing there is a farmers market here on Wednesday mornings for 17 weeks.

Re: "keeping the village a SAFE, ENJOYABLE PLACE TO RAISE CHILDREN" Farmers markets and ice cream trucks are about as kid-friendly as you can get!

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**From:** "Tom Poupart" <[REDACTED]>  
**To:** "Duda, Dale" <[REDACTED]>  
**Cc:** "Michael Strong" <[REDACTED]>  
**Sent:** Friday, July 25, 2014 2:53:00 PM  
**Subject:** FW: traffic nightmare

Dale,

I wanted to let you know that we received this complaint about concerning the Farmer's Market.

So far this is the only one we have received – as all of the prior feedback we have received from the public has been extremely positive.

Welcome to our world.

We were curious, do you have any food trucks that are invited to the event? Does one just show up and park on Meadow?

If you have any concerns about the parking or arrangement or traffic flow, we would be glad to hear them.

Thanks and have a great weekend.

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**Sent:** Thursday, July 24, 2014 11:11 AM

**To:** Frum, Sandy

**Subject:** traffic nightmare

Sandy, I am sure you received my voice mail yesterday morning about the traffic nightmare / danger at Cherry & Meadow in the morning.

It is most frustrating that the village officials do not see the danger, yes, danger, to allowing almost semi-sized food trucks to park on Meadow plus have all the congestion from the Farmer's Market participant's vans/ trucks, etc. in that small area of the parking lot.

It was difficult for myself and my dog to cross the street at 9 yesterday morning due to the inconsiderate, rude, rushing drivers! & I AM a runner, so I am not walking slowly across the street. I really do hope that I myself am not going to be hit at this intersection as I will not go quietly away anymore as I did when I fell due to the broken sidewalk a couple of years ago at that same stretch of sidewalk on the west side of Meadow , S of Cherry....amazing how the entire 50' plus was replaced just the very next day .

The current village board only seems concerned now in getting more revenue into the village coffers and not concerned at all anymore with keeping the village a SAFE, ENJOYABLE PLACE TO RAISE CHILDREN since you have allowed all this danger 1 block from a park ,,,which many residents North of Cherry and east of Meadow walk to at all hours of the day. I have lived here for 35 years and will NOT have this congestion continue at Cherry and Meadow. I welcome the new auto parts store as that SHOULD do away with at least the Farmer's Market, which is NOT needed in Northbrook at all. Be realistic, is that really needed in Northbrook with all the other food stores around catering to organic and our own very knowledgeable residents who grow their own vegetables?

On the second problem I mentioned on the phone message,,,,,the 1, and its only 1 , ice cream truck that drives around Northbrook should not be allowed to have any music on whatsoever DURING A NORTHBROOK EVENT! It was difficult to hear the Memorial Day tributes in the park and he also parked 1/2 block down from the July 4th parade with his music on and it was difficult to hear the parade participants. Once again, REALLY?? I do believe he is breaking a noise ordinance and will be checking the village rules on this myself. The driver will not listen to civilians so the police will have to be involved on this one.

I will wait to hear your solutions to these issues before I start petitioning the area residents.

## **Strong, Michael**

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**From:** Selwyn Marcus <[REDACTED]  
**Sent:** Wednesday, October 01, 2014 2:33 PM  
**To:** Poupart, Tom  
**Subject:** RE: Food trucks

Thanks, Tom.

Yes, I know Little Louies was involved in the food truck discussions and meetings and I was quite surprised when I found out that Meadow Road was permitted to accommodate food trucks. When speaking with Pete at Little Louies, he explained to me that while he is not happy with this, he felt he had no choice because the village seemed committed to continue permitting the ice cream trucks that had been doing business around the park for years. I have seen his most recent communications with Mike Strong and was planning to get a letter out relative to the comments I made last night. I will get that out to you shortly.

Take care,

Selwyn

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From: [REDACTED]  
To: [REDACTED]  
CC: [REDACTED]  
Subject: Food trucks  
Date: Wed, 1 Oct 2014 18:45:21 +0000

Selwyn,

Thanks for your comments and insights into food trucks last night – and how food trucks on Meadow are viewed as direct competitors to our ta-paying brick and mortar establishments.

Little Louie's participated in the discussions when we set up the pilot program and they seemed OK with the experimental rules, but we certainly understand that things can play out differently than we imagine. The Board set up the rules with the understanding that it was on a trial basis for this very reason.

The regulations we set up are going to be revisited before the end of the year to see what adjustments are in order. At this point, I believe the meeting will not take place for at least a month.

If you would like to send me some written comments that can share with the Board we will be sure to include them.

I am also asking that Mike Strong include you on the list of individuals that receives the agenda and meeting materials so you can attend if you wish. We are including the Little Louie's team on the list.

Thanks again for your insights.

VILLAGE GREEN BUSINESS CENTER LLC

2225 GREENVIEW ROAD  
NORTHBROOK, IL 60062  
Ph (847) 498-5330  
Fax (847) 737-4325  
[vgcnorthbrook@hotmail.com](mailto:vgcnorthbrook@hotmail.com)

RECEIVED  
VILLAGE OF NORTHBROOK

October 8, 2014

OCT 9 2014

DEPARTMENT OF  
DEVELOPMENT & PLANNING

Mr. Tom Poupart  
Director Development & Planning Services  
Village of Northbrook  
1225 Cedar Lane  
Northbrook, IL 60062

Re: Food Trucks

Dear Tom;

When I heard that the village had approved of food trucks in the downtown area, I was shocked. I spoke with Pete, the owner of Little Louie's to get his opinion on this situation, considering his restaurant is located across the street from the Village Green, where food trucks are currently allowed to sell food. He told me he was lead to believe that the ice cream trucks that had circled the area for years could not be prevented from continuing. He understood that the village was trying to attract more visitors to the downtown area and didn't feel there was much he could do to stop this process from moving forward. If you look at other neighboring communities, none of them allow food trucks to stop and sell on public property because they feel it is important to protect their local business owners. Why should this be any different in Northbrook? I have no idea how the other food oriented businesses feel about this, but will nevertheless copy all on this communication.

More recently I have received copies of correspondence between Little Louies and Mr. Michael Strong at the Village. Pete has now told me he is strongly opposed to food trucks anywhere around the downtown, including all of Meadow, Cherry, Shermer and Walters on the far side of the park. I read with interest in this week's Northbrook Tower the article titled "Raco Food Truck makes a home in Northbrook" and I quote the article "Let's go try our luck over there, and the Village has been very welcoming". Further on "have been operating their food truck exclusively in Northbrook. Every Monday through Friday they park at 401 Huehl from 11 am – 2 pm and then at Village Green Park from 3pm – 8 pm".

Mr. Tom Poupart

Page Two

October 8, 2014

With an overriding quest to improve the downtown, the village is now providing an option that is in direct competition to those very businesses they are trying to promote. Over many years, including the commission of numerous committees and staff members and expenditure of significant consultant dollars, the development and improvement of downtown has been front and center of discussion. The businesses that are already downtown all pay high rents (due in part to the very high real estate taxes we all pay and that food trucks escape), plus the overhead of maintaining a permanent brick & mortar based business. Most of the businesses downtown are small and owned by Northbrook or North Suburban resident families. They rely very heavily on every sale they can make to continue as viable businesses. The village wants more development and more traffic, but who will come if the local businesses report that sales are not that great and that they need to compete with the low overhead of food trucks?

There are already three fast food type eateries (Little Louies, Landmark and Subway), two ice cream shops, two pizza shops, three sit down restaurants and two coffee shops. Traffic in the downtown is sporadic and unpredictable, there really is not enough to go around to support all the businesses and then have the village provide an invitation to very low cost operators who pay no taxes, pay nothing toward maintenance of the properties or streets and have minimal utility costs. I am concerned that the very direction the village is hoping the downtown will take will be diminished by this small but significant noose around the neck of the local tax paying downtown businesses. Is it worth it for Northbrook to continue this open invitation? I don't think so.

I have been told that meetings are being scheduled for sometime in the future, I urge the village to not wait any longer and to move to reverse this approval, sooner rather than later.

Very truly yours,

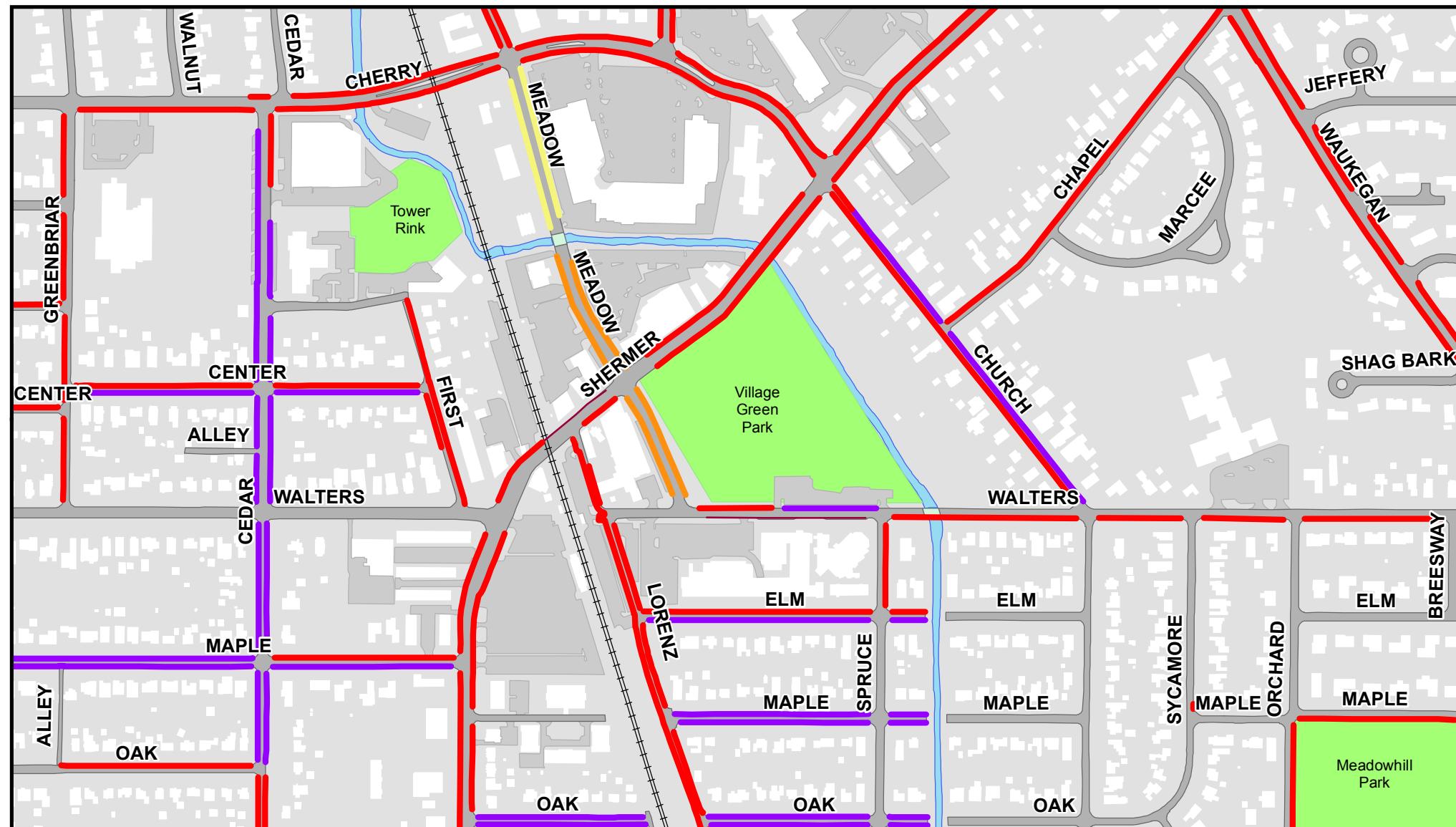


Selwyn S. Marcus  
Executive Manager

cc. Mr. Michael Strong ✓  
cc. Downtown Food oriented business owners

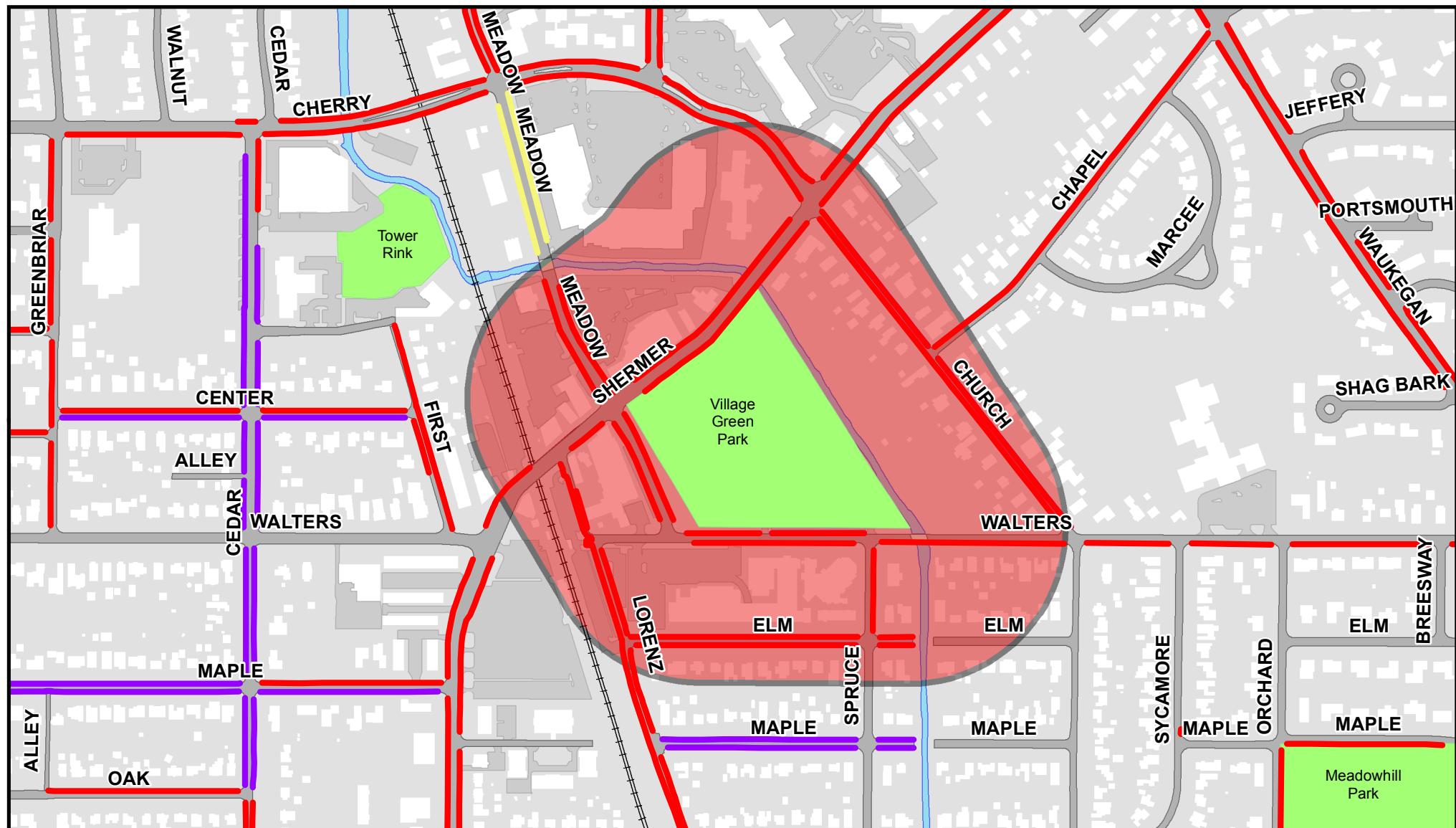
# Mobile Food Service Establishment Operations & Parking Map

## Downtown Location Map -- General Restrictions



# Mobile Food Service Establishment Operations & Parking Map

## Downtown Location Map -- Special Event Restrictions



## **Ordinance 2014-30**

### **An Ordinance Amending the Northbrook Municipal Code (1991), as Amended, Regarding the Regulation of Mobile Food Service Establishments**

Passed by the Board of Trustees, 5/27/2014  
Printed and Published 5/28/2014

Printed and Published in Pamphlet Form  
by Authority of the  
President and Board of Trustees  
VILLAGE OF NORTHBROOK  
COOK COUNTY, ILLINOIS

I hereby certify that this document  
was properly published on the date  
stated above.

/s/ Debra J. Ford  
Village Clerk

## Ordinance 2014-30

BE IT ORDAINED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois THAT:

### **An Ordinance Amending the Northbrook Municipal Code (1991), as Amended, Regarding the Regulation of Mobile Food Service Establishments**

shall be, and is hereby, adopted as follows:

#### Section 1. **BACKGROUND.**

The Communication and Legislation Committee of the Board of Trustees for the Village of Northbrook has recommended that certain standards regarding the licensing of mobile food service establishments ("MFSEs") be adopted to help protect the health, safety and welfare of citizens within the Village. The amendments to the Village of Northbrook Municipal Code (1991), as amended ("Municipal Code"), set forth in this Ordinance and are recommended for adoption by the Village staff.

The President and Board of Trustees hereby find that the adoption of this Ordinance pertains to the Village's government and affairs and is in the best interest of the Village and the public, and adopt this Ordinance pursuant to the Village's home rule powers.

#### Section 2. **AMENDMENT TO CHAPTER 13 OF THE MUNICIPAL CODE.**

Chapter 13 of the Municipal Code, entitled "Food," shall be, and is hereby, amended as follows: [Added text **bold and double underlined**; deleted text **struck through**]:

A. Section 13-1, entitled "Definitions," of the Municipal Code shall be, and is hereby, amended as follows:

- i. by amending the definition of "Food delivery vehicle" as follows:

*Food delivery vehicle* means any vehicle that is primarily used for the delivery of food or beverages to consumers in the village, on request for such delivery, but does not include vehicles that primarily make deliveries to licensed food establishments, food stores or mobile food service establishments, as defined in this section.

i. by replacing the definition of "Mobile food service establishment" in its entirety with the following definition:

**Mobile food service establishment (MFSE) means any vehicle, cart or trailer, whether motorized or non-motorized that serve, dispense, or sell food or beverages for retail purchase by consumers primarily for immediate human consumption. Mobile food service establishments shall be divided into the following categories:**

**Risk Type 1: MFSE offering only prepackaged frozen foods.**

**Risk Type 2: MFSE offering hot or cold prepackaged foods from temperature controlled containers and dispensing beverages.**

**Risk Type 3: MFSE offering foods that are cooked or prepared with minimal assembly within the MFSE**

B. Section 13-6, entitled "Inspections," of the Municipal Code shall be, and is hereby, amended as follows:

(a) *Frequency of inspections.* At least once every six (6) months, the village sanitarian shall inspect each food establishment and food vending machine within the village and shall make as many additional inspections and reinspections as are necessary for the enforcement of this chapter. **The village sanitarian shall inspect each MFSE operating in the Village in accordance with the following schedule:**

**1. Risk Type 1 MFSE: One inspection annually;**

**2. Risk Type 2 MFSE: Two inspections annually; and**

**3. Risk Type 3 MFSE: Three inspections annually.**

(b) *Right of entry.* The village sanitarian, after proper identification, shall be permitted to enter at any reasonable time any food establishment or premises on which food vending machines are located in the village for the purpose of making inspections to determine compliance with this chapter. The village sanitarian shall be permitted to examine the records of the establishment to obtain pertinent information pertaining to food and supplies purchased, received

or used and persons employed. The village sanitarian shall also be permitted to enter at any reasonable time any food processing establishment or food service establishment that prepares or packages food to be offered by an MFSE licensed by the village, even if such facility is outside of the jurisdiction of the village.

\* \* \*

C. Section 13-10, entitled "Food from Outside Jurisdiction of Village," of the Municipal Code shall be, and is hereby, amended as follows:

Food from establishments outside the jurisdiction of the village may be sold in the village provided such food establishments conform to the provisions of this chapter or to substantially equivalent provisions. This provision shall also apply to food establishments that supply food for special charity events for nonprofit organizations, ~~mobile food trucks and portable food carts~~ and MFSEs. To determine the out-of-village food establishment's compliance with public health laws, the EHBLO shall require a copy of the latest health inspection report and state certification where such food establishment is located and such food establishment shall provide all such information.

D. Section 13-27, entitled "Application and issuance," of the Municipal Code, shall be, and is hereby, amended by adding a new subsection 13-27(e) as follows:

(e) Any applicant desiring to operate a MFSE must provide the following supplemental documentation with its permit application.

- (1) The name and address of the food preparation establishment or food service establishment where food items are to be prepared and/or packaged for sale by the MFSE with copies of the establishment's most recent health inspection report and state certification;
- (2) a description of the nature of the goods offered by the MFSE;
- (3) A letter of agreement from the food preparation establishment or food service establishment where food items are prepared and/or packaged for sale by the MFSE agreeing to comply with the Village's food and health regulations and consenting to inspection by the village sanitarian;
- (4) A list of location(s) and time(s) the MFSE will be

conducting its operations within the Village:

- (5) Copies of all necessary licenses or permits required by state health or transportation authorities for the operation of the MFSE; and
- (6) If the MFSE will be operating on private property, the permit application must include the written consent of the property owner stating the MFSE is allowed to operate on the property.

E. A new article IV, entitled "MOBILE FOOD VEHICLE VENDORS" shall be added to Chapter 13, and such new article shall be and read as follows:

#### ARTICLE IV. MOBILE FOOD SERVICE ESTABLISHMENTS.

##### 13-50 General.

Each MFSE that is permitted to operate in the Village shall be operated in strict compliance with the regulations set forth in this Article IV as well as all applicable ordinances, laws, rules and regulations, including, without limitation, all zoning, building, health, fire and safety regulations, all other provisions of this code. If a conflict arises between applicable regulations, the strictest regulation shall control.

##### 13-51 Location restrictions.

(a) Permitted Operating Areas: Any Risk Type 2 or Risk Type 3 MFSE may not serve, dispense, or sell food or beverages on any public street or right-of-way in the village with the exception of those areas designated for MFSE operation in the annual fee ordinance. All MFSEs will be required to comply with all parking regulations and fees in the permitted operating areas. Risk Type 1 MFSEs may serve, dispense, or sell prepackaged frozen foods on public streets or rights-of-way throughout the Village; provided, however, that all MFSEs, regardless of risk types, must comply with the minimum distance requirements set forth in subsection 13-51(c).

(b) Operation in Parking Lots: A MFSE may not serve, dispense, or sell food or beverages in a public or private parking lot within the corporate limits of Northbrook without having first obtaining written consent to operate from the owner of the property on which the lot is located. A copy of such written consent shall be maintained in the MFSE for review on request by any Village employee or officer.

(c) Minimum Distance from Existing Food Service Establishments: With the exception of those permitted operating areas designated in subsection 13-51 (a) or in parking lots as permitted in subsection 13-51 (b), a MFSE may not serve, dispense, or sell food or

beverages in any location that is located within five hundred (500) feet of the primary entrance to a food service establishment in the Village that is not a MFSE. This prohibition may be waived if the operator of the MFSE has obtained written consent of the owner of the food service establishment to operate within this minimum distance. A copy of such written consent shall be maintained in the MFSE for review on request by any Village employee or officer.

(d) Minimum Distance from Special Events: Notwithstanding any other regulation in this Article IV, a MFSE may not serve, dispense, or sell food or beverages within five hundred (500) feet of the lot line of a property on which any fair, carnival, circus, festival, special event, or civic event that has received a special event permit from the village is occurring. This prohibition may be waived if the operator of the MFSE has obtained written consent of person issued the special event permit to operate within this minimum distance. A copy of such written consent shall be maintained in the MFSE for review upon request by any Village employee or officer.

13-52 Sanitation, inspections, and operations.

(a) All MFSEs shall be kept in a clean and sanitary condition. It shall be the duty of the village sanitarian to make or cause to be made such inspections as may be necessary to ensure all MFSEs are kept in a clean and sanitary condition. The village sanitarian, bearing proper identification, shall be permitted to enter any MFSE at any reasonable time for the purpose of inspecting to determine whether the operator of the MFSE has complied with the terms of this chapter. Additionally, the operator of the MFSE shall, on request, provide the village sanitarian with the records of the MFSE to obtain information pertaining to food and supplies purchased, received, or used. Denial of access to the MFSE or to said records shall be deemed an interference with the village sanitarian in the performance of his/her duties.

(b) All food storage, preparation and distribution of food, and vehicle equipment must meet applicable Illinois Department of Public Health standards and requirements, as well as standards to be determined by the village sanitarian.

(c) All food, beverages, ice and other materials offered to the public or used in preparation of food or beverages to be sold must be obtained from an approved commercial source.

(d) All off-site food preparation and food storage must be conducted at a properly licensed food preparation establishment or food service establishment. Food may not be prepared in a residences or other unpermitted or licensed facility.

(e) All waste liquids, garbage, litter and refuse generated by an MFSE or its customers shall be kept in leak-proof, nonabsorbent containers which shall be kept covered with tight-fitting lids and properly disposed of at

**the affiliated food preparation establishment or food service establishment. No waste liquids, garbage, litter or refuse shall be dumped or drained onto sidewalks, streets, gutters, drains, trash receptacles, or any other place except the affiliated food preparation establishment or food service establishment. One (1) refuse/garbage and one (1) recycling receptacle shall be provided by the MFSE and easily accessible for customer use. MFSE operators shall be responsible for the removal of all litter and garbage left by customers within a fifty (50) foot radius of the location of operation.**

(f) Hours of operation. A MFSE may be open to the public only between the hours of 7:00 a.m. and 10:00 p.m., Monday through Friday, and the hours of 8:00 a.m. and 10:00 p.m., Saturday and Sunday. Daily set up of a MFSE may not occur before 6:00 a.m. and the end of the day clean up must be completed no later than 10:30 p.m. Hours of operation beyond these specified hours for private events may be authorized only with prior approval by the village manager.

(e) Noise pollution. During all hours of operation, a MFSE shall comply with the noise regulations set forth in article III of chapter 16 of this code.

(g) Signage Furnishing and Fixtures. All identifying information, logos, advertising, decorations, or other displays on the exterior of a mobile food vehicle shall conform to the purposes set forth in Article IX of the Village of Northbrook Zoning Code, to the extent possible. In particular, exterior displays shall be designed to minimize confusion or distraction that jeopardizes vehicular and pedestrian safety. It shall be unlawful for a mobile food vehicle vendor use or cause to be displayed while in transit or motion flashing or electronic signs, or illuminated signs. It shall be unlawful for vendors of mobile food vehicles to display or utilize any signage that is not permanently affixed to a mobile food unit unless a temporary sign permit application was filed in accordance to Article IX of the Village of Northbrook Zoning Code.

This Ordinance shall be in full force and effect ten days following its passage, approval, and publication in pamphlet form in the manner required by law.

Adopted: 5/27/2014

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Todd Heller, Trustee
<b>SECONDER:</b>	Bob Israel, Trustee
<b>AYES:</b>	Karagianis, Buehler, Scolaro, Heller, Israel
<b>ABSENT:</b>	Kathryn Ciesla, Sandra Frum

ATTEST:

/s/ Debra J. Ford  
Village Clerk

James A. Karagianis  
Village President Pro Tem



# Village of Northbrook

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**MEMORANDUM**  
**GENERAL GOVERNMENT**

**TO:** RICHARD A. NAHRSTADT, VILLAGE MANAGER  
**FROM:** ROB SABO, ASSISTANT TO THE VILLAGE MANAGER  
**DATE:** FEBRUARY 20, 2015  
**SUBJECT:** WILDLIFE GROUND FEEDING REGULATIONS

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As you may recall, Village staff presented a report regarding ground feeding regulations at the August 12, 2014 Regular Board of Trustees meeting which was referred to the Communications and Legislation Committee. Village staff has received complaints from two residents regarding their neighbor placing food on the ground for wild animals. The complaints (attached) state that the ground feeding is causing an increase in nuisance wildlife roaming their properties in search of food. The complainants further detail the impacts they are experiencing due to the increased wildlife presence. The Northbrook Village Code currently has regulations which prohibit the harboring of "dangerous, feral, undomesticated, vicious, or wild animals", but there is no specific language which prohibits ground feeding of wild animals. Staff surveyed 130 Chicago area municipalities to ascertain their regulations pertaining to the feeding of wild animals on private property. Of the 130 surveyed municipalities, 35 prohibit the feeding of wild animals with various exceptions made for bird feeders. The complete survey results are attached for your review.

The questions for the Committee to consider are:

- a) Should the Village amend the Municipal Code to specifically address ground feeding of wild animals?
- b) Should the current regulations remain unchanged?

Staff will be available at the February 24 Communications and Legislation Committee meeting to answer any questions.

**Municipal Code Survey of Regulations of the Feeding of Wild/Feral Animals**

Municipality	Municipal Code Regulation Wild/Feral Animal Feeding	Municipal Code Section
Alsip	Feeding of animals, birds insects and vectors. No person shall: a) Conduct an activity or create a condition, including feeding, that attracts animals, birds, insects or vectors in a manner or in numbers that causes damage to other property or creates a hazard to the health of others; or b) Feed food scraps or any material (other than bird feed or animal feed purchased at a store, grain or seeds) to any animal, bird, insect or vector other than to a licensed pet residing at the person's property; or c) Throw or place any type of food or food scraps on the ground or any surface (other than in a feeder) for the purpose of feeding any animal, bird, insect or vector; or d) Maintain feeders for animals, birds, insects or vectors with a total surface area of more than one square foot, regardless of the number of feeders.	5-9-5
Antioch	None	N/A
Arlington Heights	None	N/A
Aurora	Nuisance feeding prohibited. The feeding of any mammal by any means, including hand feeding or the placing or setting out of food to be left attended or unattended, which creates or has the potential to create a hazard to public health or safety is hereby declared to be a public nuisance and to be unlawful.	9-12
Bannockburn	None	N/A
Barrington	None	N/A
Barrington Hills	None	N/A
Batavia	None	N/A
Beach Park	It is a public nuisance for any owner/operator/resident of any lot, place or area within the village to allow, keep, maintain or permit upon any such lot, place or area more than ten (10) pounds of bird feed at any time which is available to birds.	8.12.260(T)
Bedford Park	It shall be unlawful for any person to feed any food substance to any animal (except for domesticated animals) within the village.	9-6-2
Bensenville	None	N/A
Berwyn	No person shall feed, or cause the feeding of, any wild/feral animals and/or birds within the corporate limits of the city. The feeding of wild/feral animals and/or birds shall be allowed in residential areas provided that all feed must be placed in a container, receptable or feeder designed for the feeding of wild/feral animals and/or birds. No more than two feeders allowed per residential lot of record.	616.14
Bloomingdale	None	N/A
Broadview	The harborage or rats, rodents or other vermin is hereby declared to be a nuisance and injurious to the public health, safety and welfare. It shall therefore be unlawful for any person to allow conditions on property under his control to exist which will allow rats, rodents or vermin to nest, seek shelter or feed.	4-3A-1
Brookfield	It shall be illegal to make food, salt, mineral blocks or other products for ingestion by wild deer or other wildlife in areas where wild deer are present. Elevated bird or squirrel feeders are exempt when located within 100 feet of a dwelling unit.	10-219
Buffalo Grove	None	N/A
Carpentersville	None	N/A
Cary	None	N/A
Cicero	It shall be unlawful to intentionally feed stray animals, including birds.	18-13(a)
Clarendon Hills	None	N/A
Deerfield	None	N/A
Deer Park	None	N/A
Des Plaines	It shall be prohibited to feed any nuisance wildlife, whether on private or public property. Nuisance animals include, but are not limited to, squirrels, raccoons, skunks, opossums, fox and coyotes.	6-1A-19

**Municipal Code Survey of Regulations of the Feeding of Wild/Feral Animals**

Downers Grove	It shall be unlawful for any person to cause, permit or maintain the existence of any nuisance as enumerated in Section 13-7 on any property located within the corporate limits of the Village. (b) To intentionally feed any wild animals within the Village such that as a natural and predictable result of the amount and type of food given a wild animal or animals, and/or the repetitive nature of the feedings made, the wild animal or animals does any of the following: (1) Creates a habitat on occupied property which becomes offensive or detrimental to the neighborhood; (2) Causes substantial damage to a neighboring or adjacent property owner's tangible personal property or real property; or (3) On more than one occasion, leaves feces on real or personal property. For the purposes of this section, wild animals include, but are not limited to, raccoons, deer, skunks, coyotes, squirrels, possum and fox.	13.6b
East Dundee	Nuisance feeding prohibited. It shall be unlawful to feed any cat, or other wildlife except birds, including hand feeding or the placing or setting out of food to be left attended or unattended, which creates or has the potential to create a hazard to public health or safety and is hereby declared to be a public nuisance.	92.18
Elgin	None	N/A
Elk Grove Village	Ground Feeding: It shall be unlawful for any person to knowingly or intentionally leave unused animal food or food waste outdoors to accumulate and become foul, putrid, and offensive in odor, or become an attractant to rodents, nuisance birds, wild animals, vermin or insects.	4-2-2(j)
Elmhurst	None	N/A
Elmwood Park	None	N/A
Evanston	Ground feeding prohibited. All feed must be placed within an approved container, receptacle or feeder designed for the feeding of wild/feral mammals and/or birds and as defined in this section. The number and types of feeders are regulated.	8-3-8-2
Evergreen Park	No person shall: a) Conduct an activity or create a condition (including feeding) that attracts animals, birds insects or vectors in a manner or in numbers that causes damage to other property or creates a hazard to the health of others; or b) Feed food scraps or any material (other than bird feed or animal feed purchased at a store, grain or seeds) to any animal, bird, insect or vector other than to a licensed pet residing at the property; or c) Throw or place any type of food or food scraps on the ground or any surface (other than in a feeder) for the purpose of feeding any animal, bird, insect or vector; or d) Maintain feeders for animals, birds, insects or vectors with a total surface area of more than one square foot, regardless of the number of feeders.	4-16
Forest Park	None	N/A
Fox Lake	It shall be unlawful to feed any migratory waterfowl.	4-3-6-3(A)
Franklin Park	None	N/A
Geneva	None	N/A
Glen Ellyn	None	N/A
Glencoe	None	N/A
Glendale Heights	None	N/A
Glenview	None	N/A
Golf	None	N/A
Grayslake	None	N/A
Gurnee	None	N/A
Harwood Heights	None	N/A
Hawthorn Woods	None	N/A
Hazel Crest	None	N/A
Highland Park	None	N/A
Highwood	None	N/A
Hillside	None	N/A
Hoffman Estates	Ground feeding prohibited. All feed must be placed within an approved container, receptacle or feeder designed for the feeding of wild/feral mammals and/or birds and as defined in this section. The number and types of feeders are regulated.	7-6-18
Inverness	None	N/A
Island Lake	None	N/A
Joliet	None	N/A
Kenilworth	None	N/A
Kildeer	None	N/A
Lake Barrington	None	N/A

**Municipal Code Survey of Regulations of the Feeding of Wild/Feral Animals**

Lake Bluff	None	N/A
Lake Forest	None	N/A
Lake Villa	None	N/A
Lemont	None	N/A
Libertyville	None	N/A
Lincolnshire	None	N/A
Lincolnwood	No person shall place food on or near the ground for the purpose of feeding any animals. Nothing in this section shall be deemed to prohibit the use of bird feeders for the purpose of feeding birds other than pigeons.	11-3-20
Lindenhurst	The feeding or making food available to migratory waterfowl (swans, geese, brant, river and sea ducks and any other waterfowl that generally follow a seasonal migration pattern) on publicly or privately owned land or water which results in the congregation or congestion of migratory waterfowl or in an accumulation of waterfowl feces or droppings shall be considered a public nuisance.	94.04(Q)
Lisle	Intentionally feeding wild animals prohibited. It shall be unlawful and a nuisance for any person to intentionally feed, shelter or otherwise harbor any wild animals within the village. For purposes of this section, wild animals include, but are not limited to, raccoons, geese, ducks, deer, skunks, coyotes, squirrels, possum and fox.	8-1-3
Lombard	No person shall feed, or cause the feeding of, any wild/feral animals and/or birds within the corporate limits of the Village of Lombard, on residential property.	90.33
Long Grove	None	N/A
Mettawa	None	N/A
Melrose Park	None	N/A
Midlothian	Ground feeding prohibited. The ground feeding of birds, cats, squirrels, chipmunks, rats, mice, rabbits, raccoons, opossums, skunks, deer, ducks or any other wild animals is prohibited in order to prevent rodent infestation, disease from feces, and a pleading, casting, lay, depositing or dumping of feed including, but not limited to, birdseed, corn, bread pieces, food scraps or any like or similar substance, on any public or private property in the village. Aboveground hanging bird feeders are allowed as long as all feed is placed in a container or feeder designed for the specific purpose of feeding birds.	6-2-18
Morton Grove	None	N/A
Mt. Prospect	None	N/A
Mundelein	None	N/A
Naperville	None	N/A
New Lenox	None	N/A
Niles	None	N/A
Norridge	None	N/A
North Barrington	None	N/A
North Chicago	None	N/A
Northfield	None	N/A
Northlake	None	N/A
Oak Brook	None	N/A
Oak Forest	No person on public or private property shall attract or feed wild and/or stray domestic animals, including but not limited to stray cats, stray dogs, seagulls, geese, skunks, raccoons, squirrels or deer within the city limits. Nothing contained herein shall prohibit persons from feeding birds on their private property using bird feeders or other receptacles.	95.54(C)
Oak Lawn	None	N/A
Oak Park	None	N/A
Orland Park	Any person who performs or permits ground feeding of birds or animals, including but not limited to cats, squirrels, chipmunks, rats, mice, rabbits, raccoons, opossums, skunks, deer, geese or any other wild animals on public or private property within the Village shall be deemed guilty of a violation of this section. Above-ground hanging bird feeders are allowed as long as all feed is placed in a container or feeder designed for a specific purpose of feeding birds.	8-6-6
Olympia Fields	None	N/A
Palatine	None	N/A
Palos Hills	It is unlawful for any person to place outdoors any meat, fowl or any byproducts thereof, for the purpose of feeding animals. This prohibition includes areas which are privately or publicly owned.	6.04.045

**Municipal Code Survey of Regulations of the Feeding of Wild/Feral Animals**

Park Forest	None	N/A
Park Ridge	None	N/A
Prospect Heights	None	N/A
River Forest	None	N/A
River Grove	None	N/A
Riverside	It shall constitute a violation of this provision for any person to feed or otherwise deposit upon his property any household food, garbage or other edible products, in the open, in such manner as to attract any stray dog or cat not owned by said person or any other domestic animal or rodent or other wild animal at or upon the property of said person within this village.	6-2-1
Riverwoods	None	N/A
Rolling Meadows	None	N/A
Roselle	None	N/A
Round Lake	None	N/A
Round Lake Beach	It shall be unlawful for any owner of any lot, place or area within the village to allow, keep, maintain or permit upon any such lot, place or area more than ten pounds of bird feed at any time which is available to birds.	6-1-2(A)20
Schaumburg	None	N/A
Schiller Park	It is declared a public nuisance and shall be unlawful to feed any animals in the Village whereby as a natural and predictable result of the amount and type of food given to the animals and/or the repetitive nature of the feedings made, the animal does any of the following: 1) Creates a habitat on occupied property which becomes offensive or detrimental to the neighborhood; 2) Causes substantial damage to a neighboring or adjacent property owner's tangible personal or real property; or 3) On more than one occasion, leaves feces on real or personal property. For the purposes of this section, animals include, but are not limited to, raccoons, deer, skunks, possum, coyotes, birds, squirrels, stray or feral cats and fox. The prohibition does not apply to bird feeders.	91.12
Shorewood	None	N/A
Skokie	Ground feeding prohibited. All feed must be placed within an approved container, receptacle or feeder designed for the feeding of wild/feral mammals and/or birds and as defined in this section. The number and types of feeders are regulated.	18-11
South Barrington	None	N/A
South Holland	None	N/A
Streamwood	Ground feeding prohibited. The ground feeding of feral animals is hereby declared a nuisance and is prohibited.	4-2-5(G)
Sugar Grove	None	N/A
Summit	None	N/A
Tinley Park	Any person who performs or permits ground feeding of animals and/or birds, including but not limited to cats, squirrels, chipmunks, rats, mice, rabbits, raccoon, opossum, skunk, deer, ducks, geese or any other wild animal on public or private property within the Village shall be guilty of a violation of this section. Above ground hanging of bird feeders is allowed as long as all feed is placed in a container or feeder designed for the specific purpose of feeding birds and the area around the feeder is kept free and clear of bird food.	91.53
University Park	No person shall place table scraps, seed or other food out-of-doors in residential zones areas, outside of appropriate rubbish containers and in such a manner as to deliberately attract raccoons, skunks, deer, possums, foxes, squirrels or other wild mammals and thereby cause these animals to become habituated to humans. That this prohibition shall not apply to feed set out for wild birds, and placed in feeders located in such a way as to discourage access to the feeders by the animals described herein.	610-02(g)
Vernon Hills	None	N/A
Villa Park	None	N/A
Volo	None	N/A
Wadsworth	None	N/A
Warrenville	None	N/A
Waukegan	None	N/A
West Chicago	None	N/A

**Municipal Code Survey of Regulations of the Feeding of Wild/Feral Animals**

West Dundee	None	N/A
Westchester	Keeping or feeding certain animals prohibited. No person shall feed or otherwise deposit upon his property any household food, garbage, or other edible products, in the open, in such manner as to attract any stray dog or cat not owned by said person or any other demoestic animal, rodent, bird, or wild animal at or upon the property of said person within the village. Simple, casual feeding of birds with bird seed, corn, bread, nuts or similar types of natural products is permitted if not excessive and does not create a public nuisance. Bird feeders, bird houses and bird baths must be at least three feet from the ground.	10.12.010
Western Springs	None	N/A
Westmont	None	N/A
Wheaton	Feeding feral cats, feral dogs, and other wild animals prohibited. It shall be unlawful for any person to feed any feral cat, feral dog, raccoon, skunk, opossum or coyote within the city, except after confinement of the animal within a kennel or other wildlife authorized facility operating in conformance with all applicable laws.	14-102
Wheeling	None	N/A
Willowbrook	None	N/A
Wilmette	It shall be unlawful for any person to place, scatter, leave or otherwise set food of any kind outside, whether directly on the ground or in a bowl, on any public or private property within the Village (including property owned by such person) so as to be accessible for consumption by any animal. This prohibition does not include the placement of bird food in containers designed for or inteded for the feeding of birds which are maintained at least four (4) feet above the ground and affixed to a tree, pole, apparatus, or other structure.	4-1.3b
Winfield	None	N/A
Winnetka	None	N/A
Wood Dale	None	N/A
Woodridge	None	N/A
Zion	It shall be unlawful for any owner of any lot, place or area within the village to allow, keep, maintain or permit upon any such lot, place or area more than ten pounds of bird feed at any time which is available to birds.	62-402(a)20

**From:** Chris Maisch [<mailto:chris@shepherdpreservation.com>]  
**Sent:** Monday, July 07, 2014 11:32 AM  
**To:** Village  
**Subject:** Animal Control-Board Meeting July 8

Board of Trustees,

I understand that there will be a discussion at the 7/8/14 Board meeting regarding animals.

There has been a steady increase in animal activity in our neighborhood over the 12 years we have lived here, namely birds, skunks & raccoons and, as of last year, coyotes where one was actually killed by animal control in our driveway because it was rabid.

At least in good part, our animal problems can be attributed to a nearby neighbor who feeds and harbors such animals. Over the course of our living here the neighbor has laid out sandwiches, ripped open bags of bird seed and spread them on the ground in the yard, created spaces in the yard where large animals can nest, and has hung numerous (10+) bird feeders in the yard.

You can see flocks of birds flying into and out of the neighbor's property. You can also see animals at feeding time heading in and out of the same neighbor's property to eat.

We are afraid to let our dogs out past dark because they have been skunked so many times now. We are even cautious getting out of our own car at night to walk to our front door because skunks have popped out of our front bushes and raised their tails.

Sitting on our back patio we have faced a family of raccoons climbing our back tree and hissing at us while our kids were playing in the yard.

We should not live in fear of enjoying our own properties. **The first step in addressing the animal issue, at least in our neighborhood, is creating concrete regulations regarding animal feeding and harboring.**

Thank you for your consideration.

Illinois Road Resident

To: Village of Northbrook Trustees

From: [REDACTED] 2125 Oak Ave

Date: July 8, 2014

Because the skunk problem will be discussed at the Village Meeting on 7-8-14 I wanted to share a few concerns /comments of mine:

- Animals gravitate to food. How many bird feeders can a small yard in R5 District have? ***Ground feeding of many animals is, and, has been going on at 2100 block of Illinois Rd for many years. This has been reported to Village Personnel on many occasions with no code enforcement results or assistance.***
- It is believed that small residential animal hutches are provided at a residence of 2100 block of Illinois Rd.
- These hutches are great places for not only the breeding of animals, but mosquitos as well – West Nile anyone?
- Ten days ago at 6:30 pm, a large raccoon was seen pacing back and forth in the front door area of a residence in the 2100 of Illinois. Perhaps waiting for the “restaurant” to open.
- Another point I want to make is that our yard has become a “toilet” for birds, rabbits, squirrels, raccoons, chipmunks, skunks, and other unknown animals that have left their scat in our yard. This is certainly a ***health issue*** for us.
- We have had the pleasure of contracting poison ivy on two separate occasions several years ago which not only is very unpleasant, but also caused both my wife and myself to seek medical attention and prescriptions. We then were afraid to have our grandchildren visit because of this problem. Please see attached information on poison ivy that I obtained from the internet.
- We have gone for walks in various parks and forest preserves and have often sarcastically laughed about seeing more wildlife in our small yard than on nature walks!
- Our yard has not only been the animal toilet, but is a direct path for the animals to get to their feeding ground on Illinois Rd. We have not set up a toll booth!
- Needless to say, the skunk odor is very bad. We cannot enjoy cool evenings outside, but rather forced to go inside and close all windows. I cannot answer how to get rid of skunks, but I sure think that to ***stop providing food is a great start!*** Perhaps regulate number of bird feeders per square footage, do not allow any ground feeding, do not allow anyone to provide shelters.

Thank you for taking the time to read my comments.

Sincerely

[REDACTED]

**Excerpt from an internet web site....**

## **"How does Poison Ivy Grow in Different Places in My Yard?"**

Poison Ivy can spread itself by dropping it's own seeds from the berries produced during certain months. Also birds eat the "berries" and drop them out later which can basically root the Poison Ivy plant anywhere in your yard. Also, if you mow over a rooted plant, or pod of "berries" it can spread the spores across your neighborhood depending on wind and weather.