

CITY OF LINCOLN
COMMITTEE OF THE WHOLE MEETING
AGENDA
JULY 28, 2020
CITY HALL COUNCIL CHAMBERS
7:00 PM

Due to the State of Illinois Phase 4 of the Coronavirus Covid-19 Precautions the City of Lincoln Council will need to continue setting 6' apart in conducting a Regular City Council Meeting. If you would like to participate in public participation you may come to City Hall 2nd Floor and remain in the hall way until you are called upon. Once you speak you will be asked to leave the meeting.

You may still call in for Public Participation by dialing 217-735-1612 extension 1. We ask that you keep your phone muted until you are recognized to speak by the Mayor.

You may view the meeting from Channel 5 or from the city website <https://lincoln.il.gov/livestream>

1. Call to Order
2. Pledge of Allegiance
3. Public Participation
4. Mayoral appointment to the Fire & Police Commission – Stacy Bacon with the resignation of Joe Haning
5. Mayoral reappointment of Marilyn Montgomery to the Fire & Police Commission
6. Mayoral reappointment of Christopher Herzog to the Fire & Police Commission
7. Approval to hire two (2) new Fire Fighters for September Academy
8. Crawford, Murphy & Tilly invoice for professional services from May 30, 2020 – June 30, 2020 for preliminary Engineering Services for Land Acquisitions for 5th Street Road Project.
9. Crawford, Murphy & Tilly invoice for Professional Services from May 30, 2020 – July 3, 2020 for Lincoln Waste Water Treatment Plant Property Boundary Determination
10. Ordinance Creating the City of Lincoln Economic Development Grant Program and the Economic Development Grant Commission
11. Resolution for the City of Lincoln Diversity and Inclusion Commission
12. Ordinance amending the City of Lincoln’s Animal Control provisions to allow poultry
13. Proposal to purchase property at 201 9th Street (Tabled from voting session 7/6/2020)
14. Lincoln Salvation Army request for a covered/enclosed parking area for its emergency disaster vehicle.
15. Announcements:
16. Possible Executive Session
17. Adjournment
18. Upcoming Meetings:
 - City Council: Monday August 3, 2020, at 7:00pm
 - Committee of the Whole: Tuesday, August 11, 2020 at 7:00pm

MEMORANDUM

TO: Mayor Welch and Aldermen of the City Council

FROM: Fire Chief Bob Dunovsky

MEETING ON: July 28, 2020

IN RE: Approval to hire two (2) FF candidates for September Academy

This is a request to hire the next two (2) FF candidates off the new hire list as planned for in this fiscal year. Salaries, equipment, and training have been budgeted since May, but put on hold until now. Two slots at IFSI-Champaign have been reserved for the September Academy. Sending the two candidates together would be cost effective with respect to housing arrangements, meals, and transportation. Since 2003, the Fire Department has been operating at a shortened staff level. Providing two more for manpower would provide the buffer needed to reduce the hourly overtime budget line significantly. During the COVID-19 pandemic, our department has dodged two scares that would have crippled our staffing and response. Adding the manpower would provide some relief to the current crews and allow some latitude in the event of a member/shift infection.

COW Recommendation: Send proposal for vote on August 3rd, 2020.

JUL 24 2020



INVOICE RECEIVED

Beth Kavelman
City of Lincoln, IL
700 Broadway St
P O Box 509
Lincoln, IL 62656

Invoice 0210108
Project 15000123.00
Invoice Date 07/16/2020
Client ID LI0050
Dept CMT.ST.01.SPI
Page 1

PROFESSIONAL SERVICES FROM MAY 30, 2020 TO JUNE 30, 2020

PRELIMINARY ENGINEERING SERVICES AGREEMENT FOR LAND ACQUISITION SERVICES FOR THE CITY OF LINCOLN FOR 5TH STREET RECONSTRUCTION PER AGREEMENT DATED JUNE 1, 2015 AND AMENDMENT #1 DATED JANUARY 17, 2017 LOGAN COUNTY SECTION #98-00081-00-PV

	PREVIOUS	CURRENT	PROJ TO DATE
Direct Salaries	34,875.87	1,414.90	36,290.77
Overhead % 136.69	47,671.83	1,934.03	49,605.85
Total Regular Labor Expense	82,547.70	3,348.93	85,896.62
Premium Labor Cost	0.00	0.00	0.00
Total Direct Personnel	82,547.70	3,348.93	85,896.62
Fixed Fee	13,485.76	402.56	13,888.32
Subtotal - Personnel and Fixed Fee	96,033.45	3,751.49	99,784.94
Subconsultant	1,000.00	0.00	1,000.00
Other Reimbursables	2,796.05	0.00	2,796.05
Total Direct Expense	3,796.05	0.00	3,796.05
Invoices Prior to 2/5/2018	280,673.00	0.00	280,673.00
Total Fees Earned	380,502.50	3,751.49	384,253.99
Fees in Excess of Contract	-79,577.41	0.00	-79,577.41
Net Fees Earned	300,925.09	3,751.49	304,676.58
Amount Previously Invoiced			300,925.09
Amount Due This Invoice			3,751.49

Project Summary

Contract Amount	Previous	Current	Project To Date	Remaining	Payments	Outstanding
343,594.00	300,925.09	3,751.49	304,676.58	38,917.42	295,907.71	8,768.87

CRAWFORD, MURPHY & TILLY * ENGINEERS AND CONSULTANTS * 2750 WEST WASHINGTON ST * SPRINGFIELD, IL 62702-3465

(217) 787-8050 * F.E.I.N 37-0844662 * FAX (217) 787-4183

Billing Backup

Thursday, July 16, 2020

Crawford, Murphy & Tilly, Inc.

Invoice 0210108 Dated 7/16/2020

4:44:38 PM

Professional Personnel

		Hours	Rate	Amount	OT Prem
Bradley, Karen	6/30/2020	.75	31.00	23.25	
Holtrop, Patrick	6/3/2020	1.00	39.92	39.92	
Holtrop, Patrick	6/10/2020	2.00	39.92	79.84	
Holtrop, Patrick	6/15/2020	4.00	39.92	159.68	
Holtrop, Patrick	6/19/2020	5.50	39.92	219.56	
Holtrop, Patrick	6/23/2020	3.00	39.92	119.76	
Holtrop, Patrick	6/24/2020	2.00	39.92	79.84	
Holtrop, Patrick	6/25/2020	1.50	39.92	59.88	
Holtrop, Patrick	6/26/2020	2.00	39.92	79.84	
Holtrop, Patrick	6/29/2020	4.00	39.92	159.68	
Holtrop, Patrick	6/30/2020	2.00	39.92	79.84	
Knox, Ambra	6/1/2020	1.00	44.83	44.83	
Knox, Ambra	6/2/2020	.50	44.83	22.42	
Knox, Ambra	6/3/2020	1.00	44.83	44.83	
Knox, Ambra	6/12/2020	1.00	44.83	44.83	
Knox, Ambra	6/16/2020	1.00	44.83	44.82	
Knox, Ambra	6/18/2020	1.00	44.83	44.83	
Knox, Ambra	6/23/2020	1.00	44.83	44.83	
Knox, Ambra	6/26/2020	.50	44.83	22.42	
Totals		34.75		1,414.90	
Overhead			136.69%	1,934.03	
Total Regular Labor Expense				3,348.93	
Total Labor					3,348.93
Total this Project					\$3,348.93
Total this Report					\$3,348.93

JUL 24 2020



INVOICE RECEIVED

Seth Goodman
City of Lincoln, IL
700 Broadway St
P O Box 509
Lincoln, IL 62656

Invoice 0210175
Project 19000139.00
Invoice Date 07/19/2020
Client ID LI0050
Dept CMT.WR.08.SPI
Page 1

Lincoln WWTP Property Boundary Determination

Professional Services from May 30, 2020 to July 3, 2020

Professional Personnel

	Hours	Rate	Amount
Project Engineer I	7.00	190.00	1,330.00
Land Surveyor	4.00	150.00	600.00
Technician II	2.00	115.00	230.00
Totals	13.00		2,160.00
Total Labor			2,160.00

Reimbursable Expenses

Misc Job Expense			12.96
Total Reimbursables			12.96

Total Billings

	Current	Prior	To-Date
Total Billings	2,172.96	9,230.07	11,403.03
Limit			16,000.00
Remaining			4,596.97
Total this Invoice			\$2,172.96

Project Summary

Contract Amount	Previous	Current	Project To Date	Remaining	Payments	Outstanding
16,000.00	9,230.07	2,172.96	11,403.03	4,596.97	3,037.34	8,365.69

Project	19000139.00	Boundary Survey	Invoice	0210175
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Billing Backup

Crawford, Murphy & Tilly, Inc.

Invoice 0210175 Dated 7/19/2020

Sunday, July 19, 2020

12:49:17 PM

Professional Personnel

		Hours	Rate	Amount	
Project Engineer I					
Remmert, Shane	6/3/2020	1.00	190.00	190.00	
Remmert, Shane	6/18/2020	4.50	190.00	855.00	
Remmert, Shane	6/19/2020	1.00	190.00	190.00	
Remmert, Shane	6/22/2020	.50	190.00	95.00	
Land Surveyor					
Earles, David	6/2/2020	2.00	150.00	300.00	
Earles, David	6/3/2020	2.00	150.00	300.00	
Technician II					
Butler, Craig	6/2/2020	2.00	115.00	230.00	
	Totals	13.00		2,160.00	
	Total Labor				2,160.00

Reimbursable Expenses

Misc Job Expense					
AP 7327646	6/27/2020		United Parcel Service*	12.96	
	Total Reimbursables			12.96	12.96
			Total this Project		\$2,172.96
			Total this Report		\$2,172.96



Delivery Service Invoice

Invoice Date **June 27, 2020**
Invoice Number 0000617338260
Shipper Number 617338

Outbound
UPS WorldShip

Pickup Date	Pickup Record	Entry	Tracking Number	Service	ZIP Code	Zone	Weight	Billed Charge
06/22	6573120746	1	1Z6173380370233024	Ground Commercial	62656	2	3	9.25
				Customer Weight			2.3	
				Delivery Area Surcharge				2.95
				Fuel Surcharge				0.76
				Total				12.96

1st ref: 19000139-00 jll
Sender :

Receiver: PEGGY BATEMAN
CITY OF LINCOLN
700 BROADWAY STREET
LINCOLN IL 62656

Total for Pickup Number: 6573120746

1 Package(s) 12.96

06/24	6573120750	1	1Z6173380371929834	Ground Commercial	60504	3	14	13.31
				Customer Weight			13.5	
				Fuel Surcharge				0.83
				Total				14.14

1st ref: aur10.01
Sender :

Receiver: DONENE
CRAWFORD, MURPHY & TILLY, INC.
550 NORTH COMMONS DRIVE
AURORA IL 60504

2	1Z6173380371845844			Ground Commercial	62025	2	24	14.65
				Customer Weight			23.3	
				Fuel Surcharge				0.92
				Total				15.57

1st ref: EDW10.01
Sender :

Receiver: TOM WILLE
CRAWFORD, MURPHY & TILLY, INC.
314 WOLF STREET
EDWARDSVILLE IL 62025

3	1Z6173380371925052			Ground Commercial	61602	2	4	9.52
				Customer Weight			3.9	
				Fuel Surcharge				0.60
				Total				10.12

1st ref: PEO10.01
Sender :

Receiver: LUKE W.
CRAWFORD, MURPHY & TILLY, INC.
203 HARRISON STREET
PEORIA IL 61602

4	1Z6173380372191469			Ground Commercial	63102	2	10	11.41
				Customer Weight			9.9	
				Fuel Surcharge				0.71
				Total				12.12

1st ref: STL10.01
Sender :

Receiver: VICKI
CRAWFORD, MURPHY & TILLY, INC.
ONE MEMORIAL DRIVE
ST. LOUIS MO 63102

1	1Z6173380371349078			Ground Commercial	64108	3	4	10.48
				Customer Weight			3.1	
				Fuel Surcharge				0.66
				Total				11.14

1st ref: KC10.01
Sender :

Receiver: ANDY BODINE
CRAWFORD, MURPHY & TILLY, INC
1627 MAIN STREET
KANSAS CITY MO 64108

ORDINANCE

AN ORDINANCE CREATING THE CITY OF LINCOLN ECONOMIC DEVELOPMENT GRANT PROGRAM AND THE ECONOMIC DEVELOPMENT GRANT COMMISSION

THIS ORDINANCE is made and adopted by the CITY COUNCIL OF THE CITY OF LINCOLN, LOGAN COUNTY, ILLINOIS, at a regular meeting held in the City Council Chambers in said City on the ____ day of _____, 2020, WITNESSETH:

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS understands that numerous properties within the City of Lincoln, especially within the downtown area, are in a state of structural disrepair; and

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS further understands the amount of cost to repair the structure in order to make it usable for business purposes might be a cost a prospective commercial property owner would find difficult to bear; and,

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS desires to assist commercial property owners with a grant program to alleviate some of the financial stress of improving these buildings; and

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS believes it is in the best interest of the Citizens of Lincoln that the commercial properties be improved in order to increase their property value and by extension their tax value; and

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS hereby establishes the City of Lincoln Economic Development Grant Program that will allocate \$7,500.00 for each property owner in a given year, the program will have a cap of \$60,000.00 within a given year, and the program will be limited to structural issues only; and

WHEREAS, the application must be received within the first six months of the fiscal year, the work must be completed before the end of the fiscal year on which the project is approved, the application is made before work on the project has been done, and furthermore any funding to be rendered shall be done once the contemplated project is completed and proof of receipt is received; and

WHEREAS, to aid the CITY COUNCIL in selecting the appropriate candidates for the program the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS hereby establishes the Economic Development Grant Commission which will be limited to nine (9) members who will establish a permit process, meet to analyze prospective projects, provide recommendations to the Council regarding projects, and to monitor existing projects and provide the Council with updates;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the CITY COUNCIL OF THE CITY OF LINCOLN, as follows:

1. That the recitals outlined above are incorporated herein as if appearing herein verbatim.

2. The City of Lincoln Economic Development Grant Program is hereby established to provide grants to existing commercial property owners within the City of Lincoln. Guidelines for the grant(s) are listed below:

- a. The property must exist within the City of Lincoln
- b. Any project will be limited to structural issues only.
- c. In order to be eligible the property owner submit the proper application through the Economic Development Grant Commission.
- d. Once approved the property owner will receive the funding once the project is complete, they have submitted the receipts, and said receipts are approved by the Commission.
- e. Funding shall be limited to \$7,500.00 per each property owner each fiscal year.
- f. The grant program will have a funding cap of \$60,000.00 within a given fiscal year.
- g. A property owner cannot apply for an additional grant in the next calendar year if their current project remains outstanding.

3. The Economic Development Grant Commission is hereby established to assist the Council in the approval of projects. The guidelines are listed below:

- a. The Commission will consists of no more than nine members.
- b. The Commission will meet as needed.
- c. The Commission will establish an application process for the businesses looking to benefit from the grant program.
- d. The Commission will provide recommendations to the City Council for prospective grant applicants.
- e. The Commission will collect receipts of the project and monitor progress of said projects.

4. The funding necessary for any and all grants shall come from the Economic Development Fund.

5. That this Ordinance is effective immediately upon passage of the same.

The vote on the adoption of his Ordinance was as follows:

Alderman Parrott _____ Alderman Keller _____

Alderman Horn _____ Alderman Welch _____

Alderman Hoinacki _____ Alderman Downs _____

Alderman Bateman _____ Alderman Leith _____

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Passed and approved this ____ day of _____, 2020

CITY OF LINCOLN,

BY: _____

Tracy Welch, Acting Mayor
City of Lincoln, Logan County, Illinois

ATTEST: _____ (SEAL)

City Clerk, City of Lincoln,
Logan County, Illinois

RESOLUTION

THIS RESOLUTION is made and adopted by the CITY COUNCIL OF THE CITY OF LINCOLN, LOGAN COUNTY, ILLINOIS, at a regular meeting held in the City Council Chambers in said City on the ____ day of _____, 2020, WITNESSETH:

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS acknowledges there is a population of minority constituents within the City encompassing a variety of race, age, gender, ability, and sexual identity; and

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS desires to give a voice to the people of Lincoln those who might not of previously had the wherewithal to make their voice heard; and,

WHEREAS, by CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS desires to create a Diversity and Inclusion Commission which will provide information, education, and communication that facilitates a better understanding of diversity and celebrates our differences; and

WHEREAS, the CITY COUNCIL desires this Commission to provide recommendations to the Council on diversity based issues and promote diversity based programs, and recommend ways to ensure the City of Lincoln is a more inclusive community; and

WHEREAS, the CITY COUNCIL OF THE CITY OF LINCOLN, ILLINOIS believes it is in the best interests of the City and its Citizens of the City that a diversity based program be created for the betterment of all the citizenry;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the CITY COUNCIL OF THE CITY OF LINCOLN, as follows:

1. That the recitals outlined above are incorporated herein as if appearing herein verbatim.

2. That a Diversity and Inclusion Commission be created for the purposes of providing recommendations to the City Council of diversity based issues, highlight diversity awareness based programs, and endeavor to promote diversity based issues within the community. The commission is provide recommendations to the Council only, any final decisions would be with the City Council.

3. The commission will consist of nine members of a variety of backgrounds within the City of Lincoln. Commissioners shall be appointed by the Mayor and approved by the Council. Each member shall serve a three year renewable term.

4. The commission will meet regularly (monthly) and additionally as needed. The Commission shall elect one of their own to serve as a secretary and another as Chairperson. The commission shall take minutes, post agendas, and submits reports to the Mayor.

5. No funding shall be allocated to this Commission and members shall serve in a voluntary capacity.

6. That this Resolution is effective immediately upon passage of the same.

The vote on the adoption of his Resolution was as follows:

Alderman Parrott	_____	Alderman Keller	_____
Alderman Horn	_____	Alderman Welch	_____
Alderman Hoinacki	_____	Alderman Downs	_____
Alderman Bateman	_____	Alderman Leith	_____

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Passed and approved this ____ day of _____, 2020

CITY OF LINCOLN,

BY: _____

Tracy Welch, Acting Mayor
City of Lincoln, Logan County, Illinois

ATTEST: _____ (SEAL)

City Clerk, City of Lincoln,
Logan County, Illinois

ORDINANCE NO.

**AN ORDINANCE AMENDING THE CITY OF LINCOLN'S
ANIMAL CONTROL PROVISIONS TO ALLOW POULTRY**

THIS ORDINANCE is made and adopted by the CITY COUNCIL OF THE CITY OF LINCOLN, LOGAN COUNTY, ILLINOIS, at a regular meeting held in the City Council Chambers in said City on the ____ day of _____, 2020, WITNESSETH:

WHEREAS, the CITY OF LINCOLN is a municipal corporation located in Logan County, Illinois; and

WHEREAS, the CITY OF LINCOLN acknowledges that there has been some desire of the citizenry to allow the keeping and usage of poultry within the City of Lincoln; and

WHEREAS, the CITY OF LINCOLN further acknowledges that there is benefits to keeping of hens, in that it provides a consistent food source for the eggs that they produce; and

WHEREAS, the CITY OF LINCOLN believes it is in the best interest of the health and safety of the citizens of Lincoln that poultry be allowed within the City with reasonable limitations to curb any nuisance arising on the neighboring properties to those that have poultry; and

WHEREAS, the CITY OF LINCOLN acknowledges that reasonable limitations would include fines for poultry who are loose from their respective properties and a permit process to keep track of the amount of poultry and the number of properties that house them;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the CITY COUNCIL OF THE CITY OF LINCOLN, as follows:

1. The City of Lincoln will amend Title VI Chapter 2 Part 32 of the Lincoln City Code to remove the prohibition on egg laying hens (See below Exhibit).
2. The City of Lincoln create a new Title VI Chapter 2 Part 33 creating rules and regulations for the Citizens of Lincoln to maintain hens on their property. (See below Exhibit)
3. The City of Lincoln will move what was previously Title VI Chapter 2 Part 33 titled 'Severalbilty' and make that Tittle VI Chapter 2 Part 34. (See below Exhibit)
4. Effective Date. That this Ordinance is effective immediately upon passage of the same.

The vote on the adoption of this Ordinance was as follows:

Alderman Parrott	_____	Alderman Keller	_____
Alderman Bateman	_____	Alderman Welch	_____
Alderman Hoinacki	_____	Alderwoman Horn	_____
Alderman Leith	_____	Alderman Dalpoas	_____

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

Passed and approved this ___ day of _____, 2020.

CITY OF LINCOLN,

BY: _____

Tracy Welch, Acting Mayor
City of Lincoln, Logan County, Illinois

ATTEST: _____ (SEAL)

City Clerk, City of Lincoln,
Logan County, Illinois

EXHIBIT A

6-2-32: KEEPING OF CERTAIN ANIMALS PROHIBITED:

Except as otherwise expressly provided for in this chapter or title 11 of this code, no person shall keep, harbor or allow to be kept within the city limits any live chicken except egg laying hens as defined 6-2-33, turkey, goose, duck or any other poultry or byproduct bird, pigeons, goat, sheep, swine, cattle, horse, or any type of hoof stock, any type of farm animal including any pygmy or miniature variety thereof; any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf, wolf hybrid, poisonous reptile, monkeys, or nondomesticated animal found in its natural state to be wild and potentially dangerous to human life. It is no defense to a violation of this section that the owner or keeper of the animal has attempted to domesticate the animal and there shall be no grandfathering in of any prohibited animal. (Ord. 2014-819, 9-2-2014)

6-2-33: POULTRY

(A) Keeping of Chickens: An exception to the inclusion of chickens in Municipal Code Section 6-2-32 shall be as follows. The keeping of chickens within the city limits shall be considered an allowable use in all residential zoning districts. A permitting process through the City Clerk and Building and Safety Office will allow the keeping of chickens possible as long as the following regulations are met:

1. A limit of 6 chickens are allowed on lots less than or equal to one acre. An additional one chicken will be permitted to be added for every one half-acre in excess of one acre. In any case no more than 10 chickens will be allowed on any single lot. A minimum number of 2 chickens shall be present per allowable use.
2. The keeping of roosters or crowing hens is not permissible.
3. Animals, eggs or any byproducts shall not be made for sale on the premises.
4. Coops and free range areas shall not be permitted within the confines of the front or side yards of the property as defined in 11-2-1.
5. Coops and free range areas shall be set back 10' from all property lines.
6. Coops and free range areas shall be set back no less than 12' from the primary lot dwelling unit and no less than 30' from any neighboring dwelling units. If lot constraints will not allow the 30' distance from neighboring dwelling units to be met a consent release may be provided from said neighbor. This release applies only to the resident at the time of permitting and will be subject to re-approval and possible permit revocation upon change in tenant or owner.
7. All coops and free range areas shall be maintained in a sanitary, non-offensive manner and without the accumulation of waste, urine, feces or any other item that maybe considered to have a disagreeable odor or appearance.

Offensive conditions will be subject to ordinance violation and potential fines per Title 7 of the municipal code.

8. Chickens shall have adequate shelter, food and water at all times. The chickens must be secured from escape at all times and wings should be maintained via clipping to prevent escape.

9. Chickens shall be secured in their coops and from predators from sundown to sunup.

10. A minimum space of 4 square foot per each chicken shall be made available within the enclosed area as well as an additional 8 square foot per each chicken of "free range" or "run" area. A minimum dimension of 3 linear foot shall be maintained in any direction or usage. Coops shall not exceed 7' in height or 40' in total square footage and shall be finished to be aesthetically pleasing.

11. No part of the property dwelling unit or garage shall be used for the keeping of chickens.

12. Sheltered and free range areas should be made to be weather and predator resistant.

13. All animal feed, bedding and other supplies associated with the keeping of chickens and likely to become an attractant to or infested by rodents or pests shall be stored and secured properly.

14. Lawful subdivision covenants will supersede any allowances made by this code section.

(B) PERMITS. A resident desiring to have chickens must first obtain a permit. The permit, if granted, is nontransferable if the permit holder moves to another property within the City of Lincoln. The permit fee is set at \$25.00 per chicken per year. The owner of the permit is subject to a yearly inspection in order to renew the permit.

(C) PENALTY. No person shall permit or cause any chicken owned by him or her to be at large within the incorporated area of the city. Failure of an owner to prevent a chicken from running at large shall be a violation of this section for which, upon finding a violation thereof, the owner shall be penalized ten dollars (\$10.00) for the first violation, twenty dollars (\$20.00) for the second violation occurring within a twelve (12) month period, forty dollars (\$40.00) for the third violation occurring within a twelve (12) month period, fifty dollars (\$50.00) for the fourth violation within a twelve (12) month period, and one hundred dollars (\$100.00) thereafter for each successive violation occurring within the same twelve (12) month period.

6-2-3: SEVERABILITY:

If any section, subsection, paragraph, sentence, clause, or phrase in this chapter or any part thereof, or application thereof to any person, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. It is hereby declared to be the legislative intent of the city council that this chapter would have been adopted if such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof had not been included. (Ord. 2014-819, 9-2-2014)