

## Lori Moller

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**From:** Mayor  
**Sent:** Tuesday, November 07, 2023 2:57 PM  
**To:** Lori Moller  
**Cc:** Lou Leone; Sarah Berg  
**Subject:** FW: New Proposed Ordinance

Hi Lori,

Please ensure this correspondence is included in the P&Z packet for December along with historical abate nuisance notices which I will forward separately.

November 7, 2023

Dear Mayor, Alderpersons, and Planning & Zoning members,

I write regarding your most recent vote to forward the Backyard Chicken Ordinance to Planning and Zoning that may potentially allow the pasturing of chickens and other farm animals within the City Limits. Once the Planning and Zoning has given their recommendations, this vote returns to you.

As an Alderperson who supports this Ordinance, I hope that you can take a moment to understand the opposing side and understand that this **does not need to be an all or nothing proposition**. While it is true that many of your constituents do not believe that residential zoning should allow such activity, we respectfully ask for more protection in new ordinances than is currently afforded with the ordinance that prohibits chickens.

Historically, this issue has been somewhat of a joke within the community, far before this Administration. The City's policies that discourage more judicious means of enforcement has made illegal ownership of farm animals easy and now these properties have blatantly increased owning other farm animals including roosters, ducks, etc. Many of these properties have other clear violations as well. Many disagree that these properties in violation will voluntarily pay five hundred or more dollars to become compliant when all they have to do is ignore the City as they have been doing for YEARS. The high price of the permit fee will only keep those that already want to be compliant to do things right.

While Alderwoman Haderlein is comforted by Fox Lakes' record on backyard chicken with one complaint, perhaps a review of current conditions in Harvard would be a better gauge. I have provided copies of my FOIA request to confirm the neighborhoods of your constituents that have had to endure these violations for years upon years upon years. This information only provides information of the past few years. Further, investigation by City staff will reveal the large extent this has posed for this Community.

Changing the ordinance and not proposing any fix for this long time situation is very disheartening. Neighbors of these residences in violation deserve to be able to enjoy their properties as well. Please feel free to confirm any of my statements with your Enforcement staff, past administrations as well as the Mayor.

I still contend that the ordinance is not legal with putting conditions on accessory use. I am currently trying to obtain an independent legal opinion on this issue. Without belaboring the point, some legal issues have already been misinterpreted or misrepresented by City legal advisors to date. You can confirm these with Mayor Kelly.

**Lastly, please consider a Conditional Use for these permits.** While I understand this would require more work on the City's part, it would provide more protection of your constituents that have been patiently waiting for a resolution to some egregious violations. It would let some of your concerned constituents know that you took all your constituents' opinions and concerns into account. A Conditional Use would also allow for more enforcement capabilities and protect homeowners from some potentially significant health and safety violations..

Thank you for your time and consideration,  
Sarah Berg

Thank you!

Best regards,

Michael P. Kelly  
Mayor  
City of Harvard  
P.O. Box 310  
201 W. Diggins St.  
Harvard, IL 60033  
[815-943-6468](tel:815-943-6468)  
[mayor@cityofharvard.org](mailto:mayor@cityofharvard.org)



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**From:** Sarah Berg <sarahberg8@gmail.com>  
**Sent:** Tuesday, November 7, 2023 11:06 AM  
**To:** Mayor <mayor@cityofharvard.org>  
**Subject:** New Proposed Ordinance

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 **3- Alderpersons, and Planning & Zoning members,**