

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village

(select one:)

of Hoosick Falls

Introductory Local Law No. 1 of the year 2021

A LOCAL LAW ESTABLISHING RULES AND REGULATIONS FOR THE KEEPING OF CHICKENS IN THE VILLAGE OF HOOSICK FALLS.

Be it enacted by the Village Board of Trustees of the Village of Hoosick Falls as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

VILLAGE OF HOOSICK FALLS

INTRODUCTORY LOCAL LAW NO. 1 OF 2021 A LOCAL LAW ESTABLISHING RULES AND REGULATIONS FOR THE KEEPING OF CHICKENS IN THE VILLAGE OF HOOSICK FALLS.

Section 1. Findings and Purpose.

The Board of Trustees of the Village of Hoosick Falls recognizes that the keeping of chickens can be a safe, productive, nondisruptive practice, provided that such animals are properly cared for in a clean, structurally sound environment, kept in appropriate numbers, and maintained at a reasonable noise level, with food sources properly contained and managed to avoid odors or the attraction of wildlife or vermin.

Accordingly, the Village of Hoosick Falls hereby enacts a local law to regulate the keeping of chickens within the Village, with minimum yard area and setback requirements as set forth in this Local Law to ensure that these animals are kept and maintained in a manner that protects the Village and its residents from nuisances associated with their keeping.

Section 2. Definitions.

CHICKEN – A common domesticated fowl raised for meat and/or eggs.

CHICKEN COOP – A structure that is designed to house hens, which is enclosed on all sides by a roof, doors and walls with or without windows. A mobile or portable structure that meets this definition shall be considered a coop for purposes of this local law.

CHICKEN RUN – An outdoor area that is enclosed on all sides, including the top, by fencing that is attached to or surrounding a chicken coop. A run shall have a doorway or hatch that allows chickens to access the space.

KEEPING OF CHICKENS – Any use involving hatching, feeding, caretaking or otherwise keeping chickens for the exclusive, non-commercial use of the owner or occupier of the premises on which such chickens are located and not kept as part of a farm.

Section 3. Rules and Regulations Regarding Chickens, Chicken Coops, and Chicken Runs.

Regulations for the keeping of chickens on any property within the Village of Hoosick Falls, subject to the permit requirements set forth in Section 4 hereof, are hereby established as follows:

A. No more than six (6) hens shall be allowed on each lot.

B. No roosters shall be allowed.

C. Chickens must be kept in a humane condition.

D. Chicken feed must be stored in rodent-proof containers.

| E. Chickens shall be confined at all times to the property on which they are kept.

F. A chicken coop is required on any lot that is keeping chickens.

G. Chicken coops shall be located in the rear yard of the parcel and be located no less than twenty (20) feet from any property line. The square footage of the rear yard must be a minimum of five hundred (500) square feet. In the case of a rear yard where such required setback from property lines cannot be met, or the minimum square footage in the rear yard cannot be met, a chicken coop may be located in a side yard at the discretion of the Building Department. No chicken coop may be located in the front yard between the primary structure and the public street under any circumstances.

H. No chickens, coops, pens, cages, fences or other shelters are permitted on a lot within one hundred (100) feet of any lake, pond, river or stream, unless such body of water is wholly contained on the same lot.

I. Chicken coops and chicken runs must be kept in a neat and sanitary manner and must be cleaned on a regular basis so as to prevent offensive odors.

J. Chicken coop size cannot exceed thirty (30) square feet, and cannot exceed six (6) feet in height from the ground to the highest point of the coop.

K. A chicken run cannot exceed forty-eight (48) square feet.

L. All chicken coops and chicken runs must be fully enclosed from all sides.

M. A chicken coop and/or a chicken run may be mobile or portable in nature, designed to allow it to be moved around the rear yard or, with approval of the Building Department under Section 3(G) hereof, the side yard. Chickens may not be kept in a mobile or portable coop until receiving a permit pursuant to Section 4 hereof.

N. The use and consumption of such chickens and their eggs is limited to the occupants of the premises and shall not be sold. Selling chickens, eggs, or breeding chickens for commercial use is strictly prohibited.

O. The killing or slaughter of chickens is limited to killings or slaughters undertaken for private use by the occupants of the premises, and is prohibited outside of enclosed buildings. Waste materials from the slaughter of such animals shall be disposed of immediately in a clean and sanitary matter.

P. The provisions of this section shall not apply to raising chickens on farms.

Section 4. Village of Hoosick Falls Building Department Permit Requirements.

A. The keeping of chickens is prohibited unless a permit is obtained from the Building Department. An annual fee for such permit shall be established by the Board of Trustees pursuant to resolution. The Building Department shall maintain a current listing of all permits issued hereunder.

B. All applications for such permit shall include verification of written notification to all adjacent property owners of the applicant's intent to keep chickens on such lot.

C. Chickens may only be kept on lots that meet the following criteria:

1. Owner-occupied single-family residence; or

2. Rented single-family property with written permission from the property owner; or
3. Multi-family unit, with one unit being owner-occupied, with written permission from the property owner and from all other units on the property. Shared use of chicken coops and/or chicken runs between tenants of the same multi-family property is permissible.

D. Any person maintaining chickens on property within the Village of Hoosick Falls on the effective date of this local law which would require a permit under the terms and conditions of this local law shall have a maximum of 180 days to obtain such permit after the effective date of this local law.

Section 5. Enforcement; Penalties for Offenses.

A. A violation of any provision of this Local Law shall be an offense punishable by a fine not to exceed \$250.00. For purposes of this Local Law, each week's continued existence of a violation shall constitute a separate violation. For purposes of the proceeding sentence, a "week" shall constitute any period of seven consecutive days.

B. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation of this Local Law, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, any other remedies or penalties otherwise available under applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in any other applicable law.

Section 6. Severability.

If any section or subdivision, paragraph, clause, or phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 7. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Introductory Local Law No. 1 of 2021 of the (County)(City)(Town)(Village) of Hoosick Falls was duly passed by the Village Board of Trustees on _____ 2021, in accordance with the applicable provisions of law.
(Name of Legislative body)

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____ in accordance with the applicable provisions of law.
(Name of Legislative body)
(Elective Chief Executive Officer)*~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative body)
(Elective Chief Executive Officer)*~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative body)
(Elective Chief Executive Officer)*~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ~~(special)~~(general) election held on _____ 20____, became operative.

6. ~~(County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____