

VILLAGE OF CAYUGA HEIGHTS
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PROPOSED LOCAL LAW G OF THE YEAR 2018

A LOCAL LAW TO AMEND
THE VILLAGE OF CAYUGA HEIGHTS ZONING LAW
SECTIONS 3.3, “DEFINITIONS,” AND 5.3, “PERMITTED ACCESSORY
BUILDINGS AND USES” IN THE RESIDENCE ZONE
TO PERMIT THE KEEPING OF CHICKENS

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I **PURPOSE AND INTENT**

It is the intent of this Local Law to add to the permitted uses in the Residence Zone, as set forth in the Zoning Law (the “Zoning Law”) of the Village of Cayuga Heights (the “Village”) the use of keeping chickens. The final version of the Village’s new Zoning Law, adopted as of February 6, 2018, did not include keeping chickens as a permitted use, although this use was contemplated and discussed in prior proposed drafts of the Zoning Law. The Village’s Board of Trustees has determined that the use of keeping chickens in the Residence Zone should be a permitted use in accordance with certain stated conditions, requirements and limitations. The purpose of this Local Law is to add this permitted use and these conditions, requirements and limitations by adding such provisions to Zoning Law Section 5.3 and by adding two definitions to Zoning Law Section 3.3.

SECTION II **AUTHORITY**

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal home Rule Law.

SECTION III **AMENDMENT OF ZONING LAW SECTION 3.3,**
“DEFINITIONS”

The two following definitions are hereby added to Zoning Law Section 3.3, “Definitions”:

COOP, CHICKEN

An enclosed, raised structure for housing and sheltering chickens that is designed to be predator proof, ventilated, watertight, and easily accessed and cleaned, with a minimum of four (4) square feet per chicken and a maximum size of thirty (30) square feet.

RUN, CHICKEN

An enclosed, fenced area for containing and allowing chickens to roam and eat that is designed to be predator proof and easily accessed and cleaned, with a minimum area of ten (10) square feet per hen.

SECTION IV AMENDMENT OF ZONING LAW SECTION 5.3, "PERMITTED ACCESSORY BUILDINGS AND USES" IN THE RESIDENCE ZONE

The following text is hereby added to Zoning Law Section 5.3, "Permitted Accessory Buildings and Uses" in the Residence Zone, as subsection "K" thereof:

- K. The keeping of chicken hens (hens), but no roosters nor other type of poultry, for personal use only, subject to the following conditions:
1. A maximum of six (6) hens per property;
 2. Hens must be kept in an enclosed coop that is locked every night with a minimum enclosed coop size of four (4) square feet per hen and a maximum coop size of thirty (30) square feet;
 3. Hens shall have access to a run which must be fenced with a minimum run size area of ten (10) square feet per hen;
 4. Coops and runs shall be located in a side or rear yard with a minimum setback of twenty-five (25) feet from the lot line;
 5. All dead, diseased, or severely ill hens shall be properly disposed of immediately;
 6. Cruel treatment of hens is prohibited;
 7. Any coop, run, and fencing deemed to be in poor condition by the Village's Code Enforcement Officer must be repaired as soon as possible;
 8. Hen feces not properly disposed of and any objectionable odor shall be considered health hazards and must be remedied immediately;
 9. Hens may not run loose outside the coop or run.

SECTION V SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of the Zoning Law of the Village of Cayuga Heights are deemed to be in conflict with the requirements of this Local Law, the terms of this Local Law shall govern and control.

SECTION VI PARTIAL INVALIDITY.

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION VII EFFECTIVE DATE.

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.