

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 Potsdam

Local Law No. 2 of the year 2021

A local law to Amend Chapter 80 Dogs and Other Animals and Chapter 180 Zoning.
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one:)

Of Potsdam

as follows:

Section 1. Purpose.

The purpose of this Local Law is to Amend Chapter 80 Dogs and Other Animals to amend §80-4 Exceptions to include Female Chickens; Add Chapter 180 Zoning, Article XIII Keeping of Domestic Poultry of the Village of Potsdam Municipal Code.

Section 2. Amendment.

§80-4. Exceptions

The provisions of this Article do not apply to animals, reptiles or birds kept in laboratories and used for scientific or medical research or kept in proper retail or wholesale business establishments operating under the Zoning Code or to female chickens maintained for human companionship and the production of eggs as set-forth in §180-55 of the Village Municipal Code.

ADD:

Chapter 180
Zoning

ARTICLE XIII
Keeping of Domestic Poultry

§180-55 Purpose
§180-56 Regulations
§180-57 Permits

§180-55 Purpose

The purpose of this section is to permit and regulate the keeping of domestic poultry within the Village of Potsdam and to ensure that the keeping of poultry does not pose a health and safety threat to the residents of the Village and to ensure the humane treatment of domestic poultry.

§180-56 Regulations

1. Number. No more than six hens shall be allowed for each taxable parcel, whether single family or a multiple dwelling. If chickens are kept at a rental property, the owner of the chickens must maintain a current written authorization for the keeping of chickens on the property signed by the property owner or authorized agent.
2. Setbacks. Coops or cages housing chickens must be at least 25 feet from any door or window of any dwelling other than the owner's dwelling. Coops and cages shall also be located at least 5 feet from both the rear and side yard lot lines. Coops and cages shall not be located in the front yard.
3. Enclosure. Hens shall be provided with a covered, predator-proof coop or cages that are well ventilated and designed to be easily accessed for cleaning. The coop shall allow at least two square feet per hen. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators from access to the birds. Hens shall not be allowed out of these enclosures.
4. Sanitation. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent the accumulation of waste and odor.
5. Slaughtering. Outdoor slaughtering of chickens is prohibited.
6. Roosters. It is unlawful for any person to keep roosters in the Village of Potsdam.
7. A biennial permit to keep chickens is required, which shall be issued by the Village Clerk's office, and which shall thereafter be filed and maintained in the Code Enforcement Office. The fee for such permit shall be set from time to time by resolution of the Village Board of Trustees. Permits can be revoked at the discretion of the Code Enforcement office at any time for failure to abide by these requirements.

§180-57 Permits

The application for a permit must contain the following:

1. The name, working phone number, and address of the applicant.
2. Whether the property is rented or owner occupied; if rented, a copy of a letter from the property owner consenting to the issuance of a permit to keep chickens.
3. Consent from the applicant for the inspection of the outdoor premises of the property at reasonable times by the Village or its agent to confirm compliance with the provisions of this subsection.
4. Acknowledgement of the receipt of an information packet from the Village Clerk which includes a copy of this article, together with information regarding the proper maintenance and handling of domestic chickens in a residential environment.

Section 3. Enactment.

This Local Law shall become effective immediately upon the notification of the filing of same with the Secretary of State.

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

(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 local law No. 2 of 2020 of the ~~(County)~~(City)(Town)(Village) of Potsdam was duly passed by the Board of Trustees on _____ 2020, in accordance with the applicable *(Name of Legislative Body)* provisions of law.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

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.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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.

* 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 cities of said county as a unit and 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: _____