

VILLAGE OF TARRYTOWN  
PUBLIC HEARING NOTICE

Chapter 125, Dogs and Other Animals

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 2<sup>nd</sup> day of December, 2019, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear and consider enacting an amendment to Chapter 125 of the Code of the Village of Tarrytown entitled Dogs and Other Animals.

A local law to amend Chapter 125 of the Code of the Village of Tarrytown entitled “Dogs and Other Animals”, to amend the code provisions to allow for the keeping of chickens subject to certain restrictions.

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

**Section 2. Amending Existing Provision.** Chapter 125, Section 1. Entitled “Definitions” is hereby amended as follows:

A used in this chapter the following terms shall have the meanings indicated:

**CHICKEN**

**An egg-producing mature female chicken or hen.**

**DOMESTIC ANIMAL**

Any domesticated sheep, horse, cattle, swine, fowl (**but not including chickens maintained in accordance with this Chapter**), duck, goose, turkey, goat, hare, skunk, fox, pigeon (including homing or racing pigeons), pheasant or other bird which is raised in confinement but not normally considered a household pet.

**Section 3. New Provision.** A new Chapter 125, Section 3 shall be added as follows:

**§ 125-3. Keeping of Chickens.**

- A. **The keeping of 12 or fewer chickens is permitted as an accessory use in all single-family residential zones (the R-80, R-60, R-40, R-30, R-20, R-15, R-10, R-7.5 and R-5) subject to the following restrictions:**
- (1) All structures used for the housing and feeding of chickens and all exercise yards, pens or other areas used for their maintenance shall be located so as to comply with minimum setback requirements governing accessory buildings as set forth in Chapter 305.**
  - (2) Chickens must be confined at all times to a chicken coop and/or fenced-in enclosure and shall not be permitted to roam freely on any property in the Village of Tarrytown.**

- (3) Any chicken coop or similar-type structure for housing or enclosing chickens shall not exceed 8 feet in height nor be greater than 25 sq. feet in building coverage and shall not be constructed or erected prior to obtaining a building permit.**
- (4) All feed shall be housed in rodent proof containers.**
- (5) All structures used for the housing and feeding of chickens and all exercise yards, pens or other areas used for their maintenance shall be kept clean and free of noticeable odors across property lines.**
- (6) No roosters shall be permitted in any building or on any property within the Village of Tarrytown.**
- (7) No commercial sale of chickens or their eggs shall be permitted.**
- (8) A minimum of ten (10) sq. ft. of fenced in outdoor space per chicken is required, and the setbacks established by zoning must be complied with.**
- (9) Any denial of an application for an accessory structure and/or enclosure to house chickens that is based on zoning standards for area or setbacks may be appealed to the Zoning Board of Appeals.**

**Section 4. Amending Existing Provision.** Chapter 125, Section 2. Entitled “Restrictions” is hereby amended as follows:

H. No person owning or possessing any household pet **or chicken** shall suffer or allow it to disturb the comfort, peace or repose of persons in the vicinity by long, continued, frequent or repetitive noise.

#### **Section 5. Renumbering.**

The current Chapter 125, Section 3 entitled “Penalties for offenses” shall be renumbered as Chapter 125, Section 4.

#### **Section 6: Severability**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

#### **Section 7: Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.