

# DRAFT: CHICKENS

LAST REVISED 4/19/2018/3/20183/7/2018

§ 79-17 Title.

This article shall be known and may be cited as the "Limits for Keeping of Chickens and Ducks on Residential Sites."

§ 79-18 Applicability.

This article shall apply to all lands within the Town of Canandaigua, but not to agricultural uses.

§ 79-19 Keeping of Chickens/Ducks.

Unless otherwise prohibited, on any parcel zoned and occupied for single family residential site in any residential district except within the MR Multiple Residence District and a PUD Planned Unit Development District, up to five female chickens may be kept for personal use on a residential site, except that chickens raised for meat and roosters are not allowed. Chickens/Ducks may be kept subject to the following standards:

## ~~Chapter xx:~~ STANDARDS FOR KEEPING OF CHICKENS/DUCKS

- A. Up to six (6) total domestic hens or ducks may be kept on properties zoned and occupied for single family residential use only.
- B. Roosters are prohibited on properties zoned and occupied only for single family residential use only.

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C. No person shall slaughter any ~~fowl~~ chickens or ducks in the Town limits, except for humane reasons.

**Comment [Z11]:** Do we want to regulate this? Is this not normal when a hen stops producing eggs?

D. ~~Fowl~~ Chickens or ducks shall be provided with a covered inside enclosure and an adjacent outside fenced area. The outside fenced area shall be no less than ~~4032~~ square feet in area.

**Comment [Z12]:** Should we regulate size of the enclosure?

E. The enclosures and adjacent fenced area shall be set back:

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1. thirty feet from any adjacent occupied residential structure, other than that of the owner; but

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2. not less than the minimum property line setback required for accessory structures in the Zoning district.

F. All enclosures shall be constructed and maintained in such a manner as to be free of rodent infestation.

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G. A building permit shall be required for all enclosures. The permit fee shall be the same as for an accessory structure.

**Comment [Z13]:** I think it should be 50\$. The minimum otherwise would be 100\$.

H. Electric service to enclosures shall not be provided by an extension cord or cords.

I. Chickens or ducks ~~Fowl~~ shall be kept in the enclosure and fenced area at all times.

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J. All feed and other items that are associated with the keeping of chickens or ducks ~~fowl~~ that are likely to attract or to become infested with rats, mice or other rodents shall be protected in a container with a tightly fitted lid so as to prevent rodents from gaining access to or coming into contact with them.

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K. All chickens or ducksfowl shall be kept in the rear yard.

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L. All areas where chickens or ducksfowl are kept shall be maintained in a neat and clean manner, free of undue accumulation of waste such as to cause odors detectable on adjacent properties.

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M. No person shall allow chickens or ducksfowl to produce noise loud enough to disturb the peace of persons of reasonable sensitivity, and it is hereby declared a nuisance and shall be unlawful for any person to allow such nuisance to exist.

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#### § ~~xx-279~~-19.1 CONFLICT WITH PRIVATE COVENANTS

Nothing in this Chapter shall be construed to permit the keeping of chickens or ducksfowl when such activity is prohibited by private covenants, conditions or restrictions governing the use of property, or by rules, regulations or orders issued by the State of New York Department of Public Health or the Ontario County Health Department.

#### § ~~xx-379~~-19.2 PENALTIES FOR OFFENSES

Any person convicted of any violation of this article shall be punished by a fine of not less than \$50 but not to exceed \$150~~250~~, or by imprisonment for a term not to exceed 15 days, or both such fine and imprisonment. Any subsequent violation of this chapter by such offender shall, upon conviction, be punished

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by a fine not less than \$250 or imprisonment not exceeding six months, or  
both such fine and imprisonment.

