

City of Oneonta, NY

Chapter 68. Animals

Article I. General Provisions

§ 68-1. Keeping animals or fowl.

A.

Prohibited unless otherwise permitted.

(1)

No person shall breed, raise, harbor or maintain any bees, poultry, chickens, turkeys, ducks, geese or any other fowl, any swine, pigs, horses, cows, mules, goats or any other animals or reptiles except domesticated pets within the City unless specifically authorized in any other provision of the Code of the City of Oneonta.

(2)

Further prohibited will be any animal that is vicious, dangerous, obnoxious, objectionable or offensive or that has, in the absence of intentional provocation, repeatedly chased, menaced, attacked or inflicted bodily injury to a person or domestic animal, excluding birds, rodents and reptiles.

B.

Chickens. Chickens may be kept and maintained under the following circumstances:

[Added 3-3-2015 by Ord. No. 1-2015^[1]]

(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 six 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 unless a responsible individual, over 18 years of age, is directly monitoring the hens and is able to immediately return the hens to the cage or coop if necessary.

(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.

(5)

Slaughtering. Outdoor slaughtering of chickens is prohibited.

(6)

Roosters. It is unlawful for any person to keep roosters in the City of Oneonta.

(7)

A biennial permit to keep chickens is required, which shall be issued by the City 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 Common Council.

(8)

The application for a permit must contain the following:

(a)

The name, working phone number, and address of the applicant.

(b)

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.

(c)

Consent from the applicant for the inspection of the outdoor premises of the property at reasonable times by the City or its agent to confirm compliance with the provisions of this subsection.

(d)

Acknowledgement of the receipt of an information packet from the City which includes a copy of this statute, together with information regarding the proper maintenance and handling of domestic chickens in a residential environment.

[1]

Editor's Note: This ordinance also redesignated former Subsection B as Subsection C and provided a sunset clause that states that unless it is extended by specific action of the Common Council, this subsection shall terminate and be of no longer any force or effect two years from its effective date.

C.

Definitions. As used in this article, the following terms shall have the meanings indicated:

DOMESTICATED PETS

Any dog, cat, ferret or other small animal or bird, reptile or fish customarily kept in or about the home or place or residence, which are kept according to the applicable state and local laws regarding the keeping thereof.