

Village of Franklinville
License Application
CHICKEN HENS
PLEASE PRINT CLEARLY

Property Address: _____
Franklinville, NY 14737

Property Name: _____
Owner Address: _____
Phone # _____ Day Phone # _____

Signature: _____ Date: _____

A diagram of the property upon which a coop and run are to be located shall be submitted with the application. This diagram must clearly show all measurements pertaining to size of coop and run, setback to property lines, and distances to adjoining property and dwellings. Survey should be submitted.

A description of how feces and other waste materials will be removed from the property or will be treated so as not to result in unsanitary conditions or in the attraction of rodents and insects shall be submitted with the application.

Number of CHICKEN HENS: _____

Size of Coop: _____ ft x _____ ft Total _____ sqft.

Size of Run: _____ ft x _____ ft Total _____ sqft.

License shall only be issued to the owner of an owner-occupied single or double family residence with a limit of one license per property for no more than 6 HENS. License runs from June 1st through May 31st and shall be renewed annually after an inspection to determine compliance with current Code. License is non-transferable. See Attached Code.

Additional Permits may be required for Accessory Buildings and Fences.

- Accessory Building less than 32sqft and not more than 8ft in height do not require a permit. All others require a permit.
- Maximum 6ft high fence. Permit required.

Article III. Chickens

§ 60-21. Definitions

- A. Except as specifically defined in this section, all words and terms used in this article shall carry their customary meaning and shall be interpreted and construed to carry out the purpose and intent of this article.
- B. As used in this article, the following terms shall have the meanings indicated:
- Village:**
Village of Franklinville, New York
- Hen:**
Female chicken
- Coop:**
An enclosed, raised structure designed to shelter hens from predators and the weather.
- Run:**
An enclosed area connected to the coop for hens to roam and eat. Must be constructed so as to confine hens and protect them from predators. If an existing structure is utilized as the run, it must meet size requirement and provide adequate ventilation for the hen's well-being.
- Outbuilding:**
A structure not connected to the primary residence on a parcel of property. An example would be a detached garage, shed, barn, gazebo, pool house, etc.

§ 60-22. License Required

- A. **Hens allowed by license only.**
- B. There shall be a limitation of one license per property.
- C. Licenses shall be issued only to the owner of owner-occupied single or owner-occupied double family residences.
- D. Licenses shall be effective for a period of 12 months from June 1st to May 31st, unless terminated prior thereto.
- E. Licenses must be renewed annually in accordance with all existing rules and regulations then in effect.
- F. Licenses are non-transferrable.
- G. License fee shall be set forth from time to time by resolution of the Village Board of Trustees. (\$25)
- H. Applications shall be submitted to and licenses issued by the Village Code Enforcement Officer.
- I. A diagram of the property upon which a coop and run are to be located shall be submitted with the application. This diagram must clearly show all measurements pertaining to size of coop and run, setback to property lines, and distances to adjoining property and dwellings.
- J. A description of how feces and other waste materials will be removed from the property or will be treated so as not to result in unsanitary conditions or in the attraction of rodents and insects shall be submitted with the application.
- K. Licenses may be revoked by the Village Code Enforcement Officer.

§ 60-23. Prohibited Conduct

It shall be unlawful for any resident in the Village of Franklinville to:

- A. Keep, permit, or allow any chicken, rooster, pigeon, turkey, duck, or any fowl on any property within the Village except for chicken hens as provided in this article.
- B. Have more than six (6) hens per property.

- C. Offer eggs for sale on the premises. Eggs shall be for personal use only.
- D. Engage in chicken breeding or fertilizer production for commercial purposes.
- E. Slaughter hens outside.
- F. Allow hens outside the coop or run.

§ 60-24. Coop and Run Requirements

- A. Only one (1) coop and run allowed per property.
- B. Hens are required to have an enclosed coop that is securely latched every night.
- C. The minimum enclosed coop size is four (4) square feet per hen.
- D. The coop must adhere to existing Village building codes at time of initial licensing and each subsequent renewal.
- E. Hens must have access to a run.
- F. Runs must be fenced and covered so hens cannot fly over or otherwise escape, and to prevent predation.
- G. The minimum enclosed run size area is six (6) square feet per hen.
- H. The run must adhere to current Village building code specifications at time of original licensing and each subsequent renewal.
- I. Coops and runs shall be located:
 - a. Only in the back or side yard of the property involved. They are not permitted in front or side street yard areas.
 - b. No closer than twenty (20) feet from any back or side property boundaries.
 - c. At least thirty-five (35) feet from any adjoining property's attached structures used for human activities. This includes structures directly attached to the occupied structure such as decks, patios, garages, and porches, but not free-standing structures such as swimming pools, outbuildings, detached garages, and non-attached decks or patios.

§ 60-25. Coop and Run Maintenance

- A. Coops and runs must be maintained regularly to prevent the attracting and harboring of rodents and pests, and so as to not be a nuisance to neighboring properties.
- B. The chicken hens shall be fed only from an approved trough. Scattering food on the ground is prohibited.
- C. Feed must be stored in secure, chew-proof containers that prevent access by rodents or pests.
- D. Waste must be cleared regularly to reduce odor and to prevent attracting rodents or pests.
- E. Waste shall be stored in appropriate containers that limit offensive odors and are secure from rodents and pests.
- F. Noise and odors must be controlled so as not to be perceptible beyond the property where the hens are being housed.

§ 60-26. Violations and Enforcement

- A. To effectuate the implementation of this article of the Village Code, the Village Code Enforcement Officer has the right to enforce any provision of this article within the Village of Franklinville.
- B. Health or sanitation issues must be remedied immediately. Chicken hens shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and to comply with applicable provisions of both the New York State and Cattaraugus County sanitary codes.

The following are examples of violations that must be remedied immediately, but not limited to:

- a. All dead, diseased or severely ill hens need to be properly treated or disposed of immediately.
 - b. Cruel treatment of hens is prohibited and must cease immediately. A violation can result in the revocation of a license and no licenses being issued in the future.
 - c. Coop, run and fencing deemed to be in poor condition by Village Code Enforcement Officer.
 - d. Waste not properly taken care of and is considered a health hazard.
 - e. Objectionable odors in the area.
 - f. Hens able to run loose outside of the run and coop.
 - g. Abandonment of hens will cause a license to be revoked and no license to be issued in the future.
 - h. Rodents or pests become a problem.
 - i. Chicken hens shall not be kept in a manner that is injurious or unhealthful to any animals being kept on the property.
- C. All other violations not deemed to be necessary for immediate remediation need to be resolved within seven (7) days.
 - D. Refusal to allow an inspection at a reasonable time by the Village Code Enforcement Officer shall result in an automatic revocation of the license.

§ 60-27. Penalties for Offences

- A. The Village Code Enforcement Officer can revoke a license at any time.
- B. The Village Code Enforcement Officer shall have the right to issue a citation for any violation of this article.
- C. Uncorrected violations can lead to revocation of the individual's hen license.
- D. In addition to the revocation of licenses and other remedies provided for herein, fines as determined by the Village Court, as applicable, may additionally be imposed, each such fine to be minimally in the amount of \$50.00 per violation.
- E. Three (3) or more violations by one license holder shall result in the imposition of any and all penalties provided for herein, and additionally a ban on future license applications.