

Proposal for review- Chickens in the Village of Bergen

Restrictions.

It shall be unlawful for any person to keep any chicken hen in any residential or commercial district in any building or structure or on the same lot or premises, except as provided.

Regulations.

It shall be lawful for any person to keep, permit or allow any domesticated chicken hens in any residential single family dwellings under the following terms and conditions and after having received a permit to keep said chicken hens from the Code Enforcement Officer/Zoning Enforcement Officer (CEO/ZEO) as prescribed herein under the following terms and conditions:

1. No roosters shall be allowed.
2. Chicken hens are to be restricted to the rear of any lot in a residential zoning district and must have setbacks 8 feet from the side and 8 feet from the rear of the real property lines.
3. Chicken hens shall be kept for personal use only; not for production or commercial purposes.
4. The slaughtering/butchering of any chicken in the Village of Bergen shall be prohibited as well as any sale of chicken or egg.
5. Chicken hens shall not be permitted outside of their enclosure at any given time.
6. Permit holders will be allowed to keep up to 8 chicken hens.

Persons wishing to keep chicken hens shall apply for a permit with the CEO/ZEO.

Permit requirements:

A. Upon successful application and inspection, a triennial permit will be issued to keep chicken hens.

B. The permit shall be *renewed* every three years in the same month as the original application date including fee equal to initial permit fee, for as long as chickens are harbored on the property. No additional inspection shall be required since any formal complaint will result in an inspection by the CEO/ZEO.

C. A permit is non-transferrable between addresses or persons.

Application for chicken hens permit must include:

1. Name of resident
2. Address
3. Phone number
4. Tax map number
5. Nonrefundable \$30 application fee
6. A plot diagram of chicken hen housing together with a description of any fencing or enclosures in relation to property lines
7. A description of a plan for the disposal of waste materials (to be included in the plot diagram)

In addition, **any applicants that are building chicken housing must comply with the Village of Bergen building code** and obtain a separate permit for such. The permit cost is \$40 and nonrefundable. See Accessory and Related Structure: Residential Permits on the Village of Bergen website and contact the Building Department of the Village of Bergen to make an application to the Planning Board or the Zoning Board. Application must include project specifics such as square footage, fencing, electric, setbacks, plot diagram, and value of project. Appropriate steps including a Dig Request must be completed.

Chicken housing requirements:

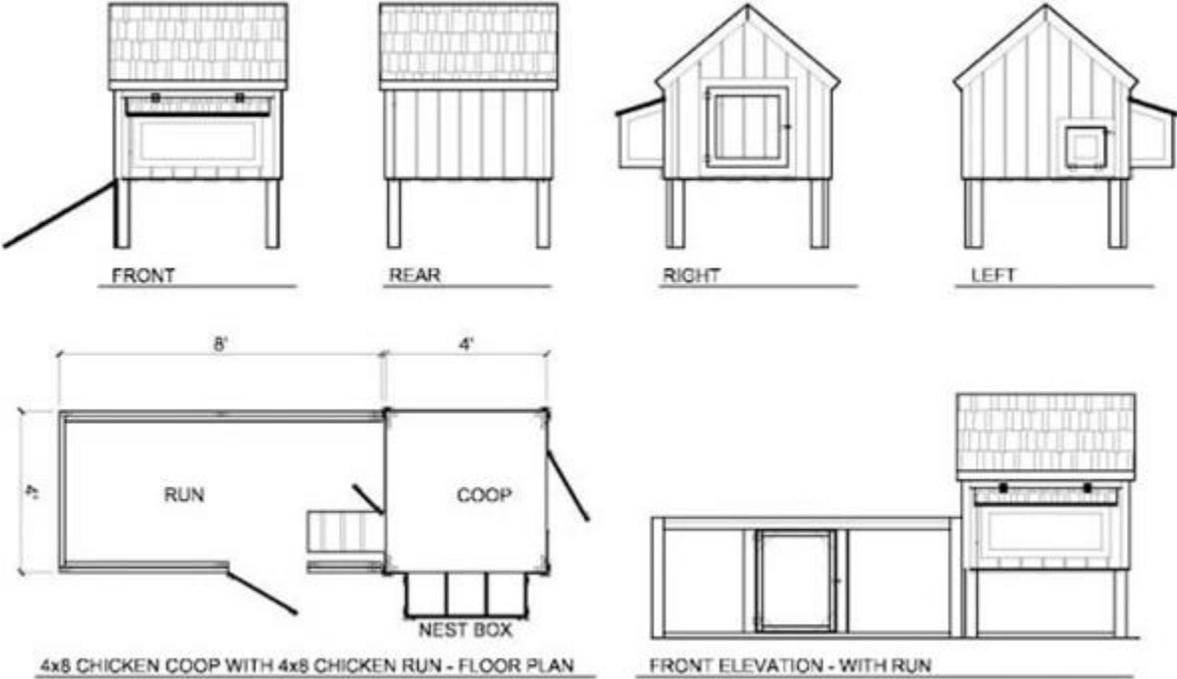
1. The chicken hens shall be kept within both a coop and a fenced outdoor enclosure.
2. The chicken coop shall be a covered, predator-resistant, well ventilated structure providing a minimum of two square feet per chicken hen.
3. The outdoor enclosure shall be adequately fenced to contain the chicken hens and to protect the chicken hens from predators, providing a minimum of three square feet per chicken hen.
4. The coop must be kept in a clean, dry and sanitary condition at all times.
5. The outdoor enclosure shall be cleaned on a regular basis to prevent the accumulation of animal waste.
6. The chicken feed shall be stored in a rodent and insect-proof, fastened container.

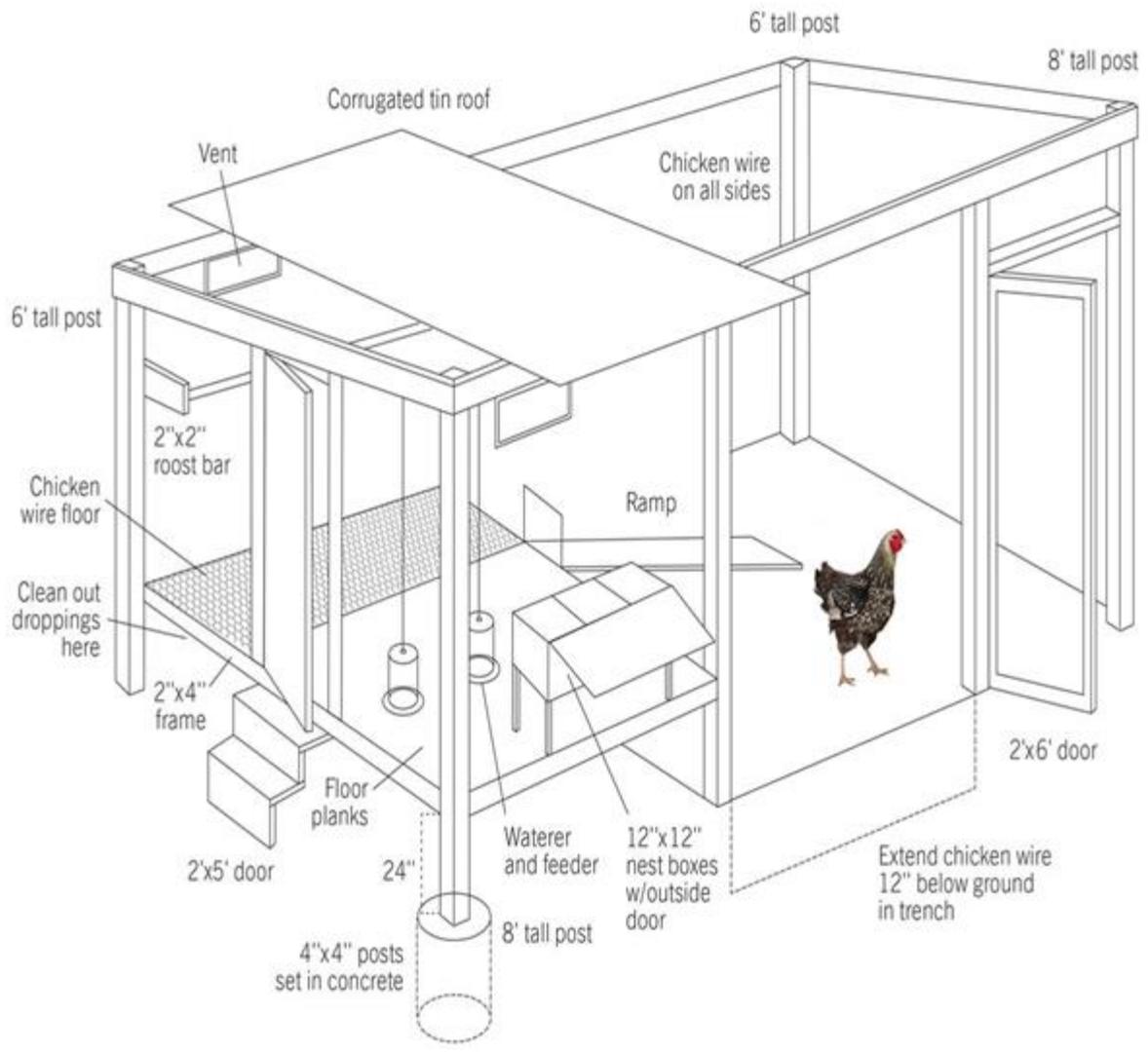
7. Chicken hens shall not be kept in a manner that is injurious or unhealthful to any animals being kept on the property.
8. Chicken hen waste shall be disposed in a manner that does not cause offensive odors.

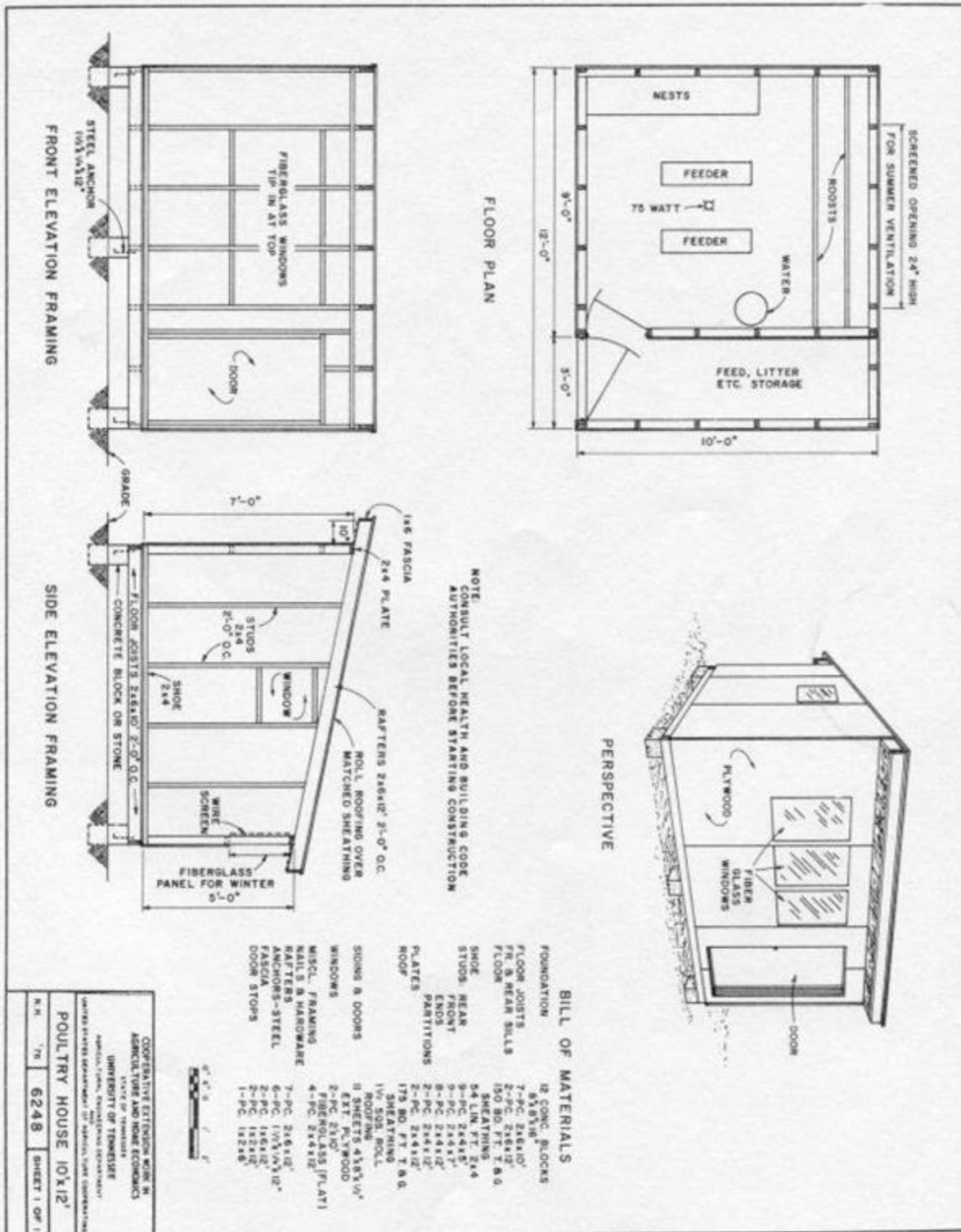
Review process:

1. Enforcement of chicken hen permits shall be the responsibility of the Code Enforcement Officer/Zoning Enforcement Officer (CEO/ZEO).
2. The appeal process shall go through the Zoning Board of Appeals.
3. To issue a formal complaint regarding any chicken hen permit holder, a complaint form must be filled out and given to the CEO/ZEO.
4. Any complaints received regarding any chicken permit issued shall be considered at a meeting of the Zoning Board of Appeals, at which the permit holder and any other interested party shall have the opportunity to be heard concerning said permit.
5. The permit holder will be afforded 14 business days to rectify the issue of complaint.
6. An inspection by the CEO/ZEO for proof of compliance may be required by the Zoning Board of Appeals, in which case a \$30 fee must be paid. The Zoning Board of Appeals may opt to accept photo proof of compliance from the permit holder, in which case no fee is required.
7. The Village of Bergen Board of Appeals may charge a \$50 fine to any permit holder that does not comply within 14 business days.
8. The Zoning Board of Appeals may choose not to renew or choose to revoke any chicken permit for any reason outlined in this document after the permit holder and any other interested party have been given an opportunity to be heard.
9. The Zoning Board of Appeals *must* revoke the permit of any permit holder that has received more than three formal complaints or has not complied with requirements issued by the Zoning Board of Appeals, including failure to pay the issued fine.
10. Fines must be paid to the Village Office within 30 days of being issued said fine.

Examples of Adequate Chicken Housing:







Please see Section 301, B-1 of the Village of Bergen Zoning law for more information and specifics on Accessory Buildings or Structures. Also See Section 408 of the Village of Bergen Zoning law for specifics on fence installation.