

VILLAGE OF RYE BROOK
938 KING STREET RYE BROOK, NY 10573
(914) 939-0242
www.ryebrook.org



FOR OFFICE USE ONLY:

Approval Date: _____ **Permit #** _____
Approval Signature: _____
Disapproved: _____
PB Approval Date: _____ Case # _____
ZBA Approval Date: _____ Case # _____
Other: _____
Application Fee: _____ **Permit Fees:** _____

Rye Brook Board of Trustees

Date: _____
Mayor: _____
Trustees: _____

CHICKEN/HEN PERMIT APPLICATION

Application dated: _____ is hereby made to the Board of Trustees of the Village of Rye Brook, NY, for the issuance of a Permit for the keeping of Chickens/Hens and related Coops, Cages, and Fences in accordance with Village Code §78-5, as per detailed statement described below.

1. Address: _____
Property Owner: _____
Address: _____
Phone # _____ Cell # _____ e-mail _____
2. Occupancy; (1-Fam., 2-Fam., Commercial., etc...) _____
3. Area of lot: Square Feet: _____ Acres: _____
4. If building is located on a corner lot, which street does it front on: _____
5. Total Number of Proposed Chickens/Hens: _____
6. Description of Coops/Cages/Fences: _____

7. Manner of Chicken Feces/Waste Removal/Disposal: _____

STATE OF NEW YORK, COUNTY OF WESTCHESTER) as:
_____, being duly sworn, deposes and states that he/she is the applicant above named,
(print name of property owner)
and further states that (s)he is the legal owner of the property to which this application pertains, and that statements contained herein are true to the best of his/her knowledge and belief, and that any work performed, or use conducted at the above captioned property will be in conformance with the details as set forth and contained in this application and in any accompanying approved plans and specifications, as well as in accordance with the New York State Uniform Fire Prevention & Building Code, the Code of the Village of Rye Brook and all other applicable laws, ordinances and regulations. By signing this application, the property owner further declares that he/she has inspected the subject property, and that to the best of his/her knowledge there are no roof drains, sump pumps or other prohibited stormwater or groundwater connections or sources of infiltration into the sanitary sewer system on or from the subject property.

SIGNATURE PAGE

Sworn to before me this _____

day of _____, 20____

Signature of Property Owner

Print Name of Property Owner

Notary Public

Chapter 78. Animals

§ 78-5. Keeping of poultry prohibited.

[Amended 2-9-2021 by L.L. No. 5-2021]

- A. No building or structure shall be erected or plot of ground be used in the Village of Rye Brook for the purpose of maintaining or raising chickens, hens, roosters, ducks, turkeys, pigeons or poultry of any kind, except that the maintaining/raising of a maximum of six female chickens, or hens, may be authorized by permit from the Board of Trustees, provided that the maintaining/raising of any such chickens/hens will not be objectionable or offensive by reason of noise, smell or other cause.
- B. Application.
- (1) An application for a permit to keep female chickens/hens shall be filed by the property owner. Such property owner shall reside at the address where the chickens/hens will be kept. The permit application shall be on such forms as are provided by the Village.
 - (2) All applications for a permit to keep chickens/hens shall be accompanied by a fee in an amount set by resolution of the Board of Trustees in the License and Permit Fee Schedule on file in the Village Clerk's office, which may be amended from time to time.
 - (3) The application shall, at a minimum, include the following information:
 - (a) The name, phone number and property address of the applicant;
 - (b) The location of the subject property;
 - (c) The size of the subject property;
 - (d) The maximum number of chicken/hens the applicant seeks to keep on the property;
 - (e) A description of any coops or cages that will house the chickens/hens, together with a description of any fencing, barriers or enclosures surrounding the curtilage of the property;
 - (f) A drawing or sketch showing the location of cages, coops, enclosures, fences and barriers and the distance to the property lines and to structures on adjacent properties; and
 - (g) A description of the manner by which 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.
 - (4) The Board of Trustees shall have the authority to approve less than the number sought by the applicant based on the attendant circumstances. No more than six chickens/hens may be kept on the premises at any one time.
 - (5) The applicant shall demonstrate to the satisfaction of the Board of Trustees that the location of their coop and fenced enclosure/run, and the maintaining/raising of such female chickens/hens, will not have a negative impact on their immediate neighbors by reason of noise, smell, or other cause.
 - (6) The application of a permit to keep chickens/hens shall not be subject to a public hearing.
- C. The keeping of female chickens/hens is not encouraged in the Village of Rye Brook; however, the Board of Trustees recognizes that under certain limited circumstances the keeping of female chickens/hens may be permissible if a property owner can demonstrate to the satisfaction of the Board of Trustees that the keeping of such chickens/hens will not present a nuisance for neighboring properties and will not have a negative impact on the public health, safety and general welfare of the Village's residents. The Board of Trustees may issue a permit, provided it finds that all of the conditions and standards set forth in this section will be met.
- D. Standards for the keeping of female chickens/hens. When authorized by the Board of Trustees, the maintaining/raising of female chickens/hens shall be subject to the following conditions and requirements, which shall be observed at all times:
- (1) The keeping of chickens/hens is for personal use only.
 - (2) The keeping of roosters is prohibited.
 - (3) No selling of chickens/hens, eggs or manure is permitted.
 - (4) All feed must be kept indoors in sealed containers with securely fastened covers, at all times, to minimize the infestation of rodents or problems with predators.

- (5) There shall be an adequate coop with an adjacent fenced enclosure/run for such chickens/hens, which must be located a minimum of 40 feet from any residence situated on an adjacent lot.
- (6) The coop and fenced enclosure/run shall not be located in any front yard. The coop shall be covered and ventilated, and the fenced enclosure/run is required.
- (7) The coop and fenced enclosure/run must be completely secured from predators, including all openings, ventilation holes, doors and gates.
- (8) The coop must have litter such as straw or shavings on the floor at all times, generally at least four inches in depth. This litter must be regularly changed to prevent unsanitary and unhealthy conditions.
- (9) The coop and fenced enclosure/run shall be kept clean and free of noticeable odors across property lines.
- (10) There shall be no outdoor slaughtering of chickens/hens.

E. Permit approval, suspension or revocation.

- (1) The Board of Trustees shall determine, in its sole discretion, and taking into account the entire record before it, whether or not a permit to keep chickens/hens shall be issued to the applicant.
- (2) To mitigate any potential visual impact on neighboring properties or streets, the Board of Trustees may require the use of evergreen landscaping, fencing or other such techniques which encourage harmony with and the protection of the character of existing residences and properties.
- (3) In addition to the requirements specified above, the Board of Trustees may institute such conditions as said Board may determine necessary to assure that the purpose and intent of this section, as well as of this chapter as a whole, are met and that the public health and general welfare of the Village's residents are properly protected.
- (4) Only one permit shall be issued per applicant and per property. No applicant shall be eligible to obtain a permit for multiple properties, nor shall more than one permit be issued to one property address.
- (5) In the event the property owner no longer owns or resides at the permitted address, the permit to keep chickens/hens shall be deemed terminated.
- (6) A permit to keep female chickens/hens may be suspended or revoked by the Board of Trustees upon written notice by the Board of Trustees if the permittee fails to comply with the conditions set forth in the permit, this chapter, or any other law, rule, regulation or ordinance, or if it appears the keeping of the chickens/hens is objectionable or offensive by reason of noise, smell or other cause.

F. Renewal. All permits to keep chickens/hens shall be valid for five years from the date the permit was issued. Permits may be renewed by the Board of Trustees upon application submitted at least 10 days before the expiration of the permit. If no violations have been reported, the permit may be renewed for successive five-year periods. If violations have been reported, they must be remedied before the permit will be reissued. Inspection of the premises by the Building Inspector may be required.

G. A nonconforming use may not continue and must terminate immediately.