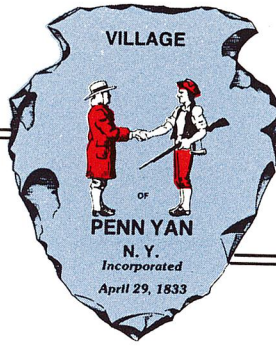


*Village of Penn Yan*



*on Keuka Lake*

Danny Condella, Mayor  
Kevin McLoud, Deputy Mayor  
Daniel Henries, Jr., Trustee  
Teresa Hoban, Trustee  
Daniel Irwin, Trustee  
Norman Koek, Trustee  
Richard Stewart, Trustee  
Holly Easling, Clerk-Treasurer

P.O. Box 426 111 Elm Street  
PENN YAN, NEW YORK 14527  
Phone: 315-536-3015  
Fax: 315-536-4685  
TDD: (800) 662-1220  
[www.villageofpennyan.com](http://www.villageofpennyan.com)

## ***NOTICE OF ADOPTION***

### **VILLAGE OF PENN YAN**

#### **Local Law To Permit the Keeping of Chickens For Purposes of Egg Production**

Notice is hereby given that at a meeting of the Board of Trustees of the Village of Penn Yan, County of Yates, State of New York, which was held on the 21st day of November, 2023, the above referenced proposed Local Law was adopted.

The effect of this Local Law will be to amend the "Dogs and Other Animals" Chapter of the Code of the Village of Penn Yan to permit the keeping of chickens for purposes of egg production. A Copy of the Local Law is available at the Office of the Clerk of the Village of Penn Yan, 111 Elm Street, Penn Yan, NY 14527 during regular business hours or on the Village website [www.villageofpennyan.com](http://www.villageofpennyan.com).

Holly Easling, Village Clerk/Treasurer  
Village of Penn Yan

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Local Law 17 of 2023 Amending Chapter 80, “Dogs and Other Animals”, Chapter of the Code of the Village of Penn Yan.

Be it enacted by the Board of Trustees of the Village of Penn Yan, in the County of Yates, as follows:

**SECTION 1. SHORT TITLE**

This Local Law shall be known as the “Livestock” Article of the “Dogs and Other Animals” Chapter Amendment of 2023”.

**SECTION 2. LEGISLATIVE INTENT**

This Local Law provides for amending the “Dogs and Other Animals” Chapter of the Code of the Village of Penn Yan with respect to livestock within the Village of Penn Yan.

**SECTION 3. LEGISLATIVE AUTHORITY**

This Local Law is adopted pursuant to the Municipal Home Rule Law of the State of New York.

**SECTION 4. LEGISLATIVE FINDINGS**

The Board of Trustees finds that, based upon public comments and requests that the keeping of chickens in the Village be permitted under specified conditions.

**SECTION 5. PROVISION**

**I. § 80-1. “Prohibited Acts” of Article I, “Livestock”, of Chapter 80 “Dogs and Other Animals” is amended to provide as follows:**

§80-1. Livestock Keeping

- A. Except as otherwise permitted herein the keeping of livestock is prohibited within the Village of Penn Yan other than by permit with applicable specified conditions as may be issued by the Board of Trustees of the Village of Penn Yan. For the purposes

hereof the term “livestock” is defined as domestic animals kept or raised for food production and/or a food source for the inhabitants of the lot or parcel of land upon which such livestock is harbored or otherwise kept.

B. Subject to the conditions of this subsection, the residents of a lot or parcel of land may keep a total of a maximum of six (6) chickens on said lot or parcel of land provided that:

1. No male chicken (rooster) is allowed;
2. In the event that the inhabitants are not the owners the owner of the lot or parcel of land has provided written permission for keeping the chickens;
3. The chickens are kept in an enclosed structure on the subject lot or parcel of land which structure is sufficient in size and construction to properly contain and enclose the chickens. Chickens may not be permitted to be outside their enclosed structure. For the purposes hereof the term “structure” shall include a fenced in area on all sides as well as the top of the fenced area, so as to prevent the chickens from leaving the fenced in area. Further, for the purposes hereof chickens may not be kept in front yards of residences and the structure containing the chickens shall have a six (6) foot setback from property boundarylines;
4. Proper sanitation, feeding and husbandry practices shall at all times be maintained and provided;
5. Egg production is limited to use by the occupants of the lot or parcel upon which they are produced;
6. Sale of eggs is prohibited;
7. Chickens may not be kept or used for meat production;
8. Slaughtering of chickens within the Village on any residential or public property is prohibited.
9. It is prohibited for any odors generated by the keeping of chickens on a lot or parcel of land to be detectable on any lot or parcel of land upon which such chickens are not kept, or upon any other public property.

**II. §80-2 “Penalties” of Article I “Livestock” of Chapter 80 “Dogs and Other Animals” is amended to provide as follows:**

§80-2 Enforcement and Penalties

- A. The Provisions of this Article shall be enforced by the Code Enforcement Officer of the Village of Penn Yan.
- B. Any person violating any of the provisions of this Article shall be guilty of an offense punishable by a fine of a minimum of \$25.00 and not exceeding \$250.00 and/or by a period of incarceration not exceeding fifteen (15) days.
- C. As an alternative to or in addition to a fine and/or incarceration, as provided in subsection “B” hereof the person violating such provision may be

sentenced to community service. Such a community service sentence would be imposed as a definite term of hours of work to be served under the direction of the Department of Public Works of the Village of Penn Yan and be pursuant to an Order of Conditional Discharge issued by the Court.

D. Each day that a violation hereunder exists, continues, or occurs shall constitute a separate offense.

## SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

*(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)*

1. (Final adoption by local legislative body only)

**I hereby certify that the local law annexed hereto, designated as Local Law No. 17 of the year 2023, was duly passed by the Board of Trustees of the Village of Penn Yan on November 21, 2023 I, in accordance with the applicable provisions of law.**

**I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.**

  
\_\_\_\_\_  
Holly Easling Clerk/Treasurer

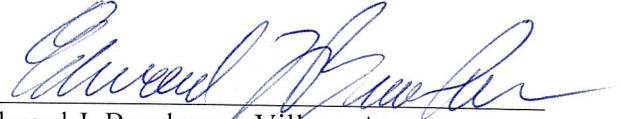
(SEAL)

Date: November 28, 2023

*(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality)*

STATE OF NEW YORK)  
COUNTY YATES ) ss:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

A handwritten signature in blue ink, appearing to read "Edward Brockman", written over a horizontal line.

Edward J. Brockman, Village Attorney

Village of Penn Yan

Date: November 28, 2023