

Planning Board Meeting – 1 February 2016, incorporating all recommended changes to date:

31.08.1 Animal/Fowl Sheltering. The non-commercial sheltering and keeping of domestic animals and fowls is allowed subject to applicable New York State Department of Agriculture and Markets regulations and standards for proper care of Animals and Fowls.

31.08.2 Animal/Fowl Sheltering – Household Pets. For purposes of these regulations household pets shall be those animals and fowls that commonly share living space with humans.

31.08.3 Animal/Fowl Sheltering – Domestic Animals. For purposes of these regulation domestic animals shall be those animals and fowls that by nature and instinct are given to coexist with humans.

42.0 SCHEDULE OF REGULATIONS

Insert – Animal/Fowl Sheltering with appropriate designations.

45.0 SUPPLEMENTARY REGULATIONS

45.20 Supplementary Regulations with Respect to Specific Building, Structures and Uses

(c) **Animal/Fowl Sheltering**. The non-commercial sheltering and keeping of domestic animals and fowls is allowed –

- in Agriculture Districts with no restrictions unless otherwise regulated by the Zoning Law, or involving proximity to a neighboring residence, in which case the setbacks below apply;
- in all other Districts, provided the property meets the minimum acreage lot size required by zoning regulations; and
- on pre-existing nonconforming lots by variance only.

In all Districts, non-commercial sheltering and keeping of wild animals is not allowed.

(1) Domestic animals kept and maintained in limited number may be pigs, goats, sheep, horses, ponies, mules, donkeys, cows, or any animal not commonly considered a household pet: Fowls may be chickens, ducks, geese or turkeys. Roosters and Peacocks are only allowed in Agricultural Districts and properties with five (5) acres or more.

(2) The area and structure designated for use must be twenty five (25) feet from any building or dwelling used daily for human occupation and fifteen (15) feet from the property line, and must be suitable to accommodate the kind and number of animals/fowls in a safe and sanitary environment, and maintained in a manner that does not pollute the environment or create a disturbance.

No fences, enclosures or runs shall be constructed in the front yard between the principal dwelling and a public or a private road, or in the case of waterfront property, between the principal dwelling and the water.

(3) The following rules apply to residential lots with a minimum of one (1) acre, where there are no deed restrictions regarding sheltering and keeping domestic animals/fowl other than household pets.

(A) Sheltering and keeping fowl and domestic animals shall be permitted as an accessory use of property used principally as a residence or dwelling.

(B) The animals/fowl shall be sheltered and kept for noncommercial purposes.

(C) The number of fowl shall be limited to ten (10); the number of domestic animals other than household pets, shall be limited to two (2). Breeding of fowl and animals is not allowed.

(D) Fences, enclosures, runs shall be constructed in a manner that ensures containment of domestic animals/fowl under all conditions.

(E) Feed for such animals/fowl will be kept in secure containers that will not attract rodents, vermin or pests of any type. The property owner will be subject to fine for unsecured feed.

(4) A variance to shelter and keep domestic animals/fowl other than household pets, shall be required for pre-existing, nonconforming lots. The ZBA may establish requirements or limitations as deemed appropriate.

(A) The ZBA variance shall be for a limited time (not more than two (2) years) and when a renewal application is submitted, the ZBA will solicit input from property owners within one hundred (100) feet of the applicant's property and shall evaluate any complaints that have been received relative to sheltering and keeping domestic animals/fowl on the property.

(5) To keep and shelter chickens, regardless of lot size or Zoning District (paragraph (c) above), the applicant must be able to demonstrate that all the New York State Department of Agriculture and Markets regulations and standards to protect against Avian Flu have been and are met:

- Chicks may not be purchased from other than an approved virus free breeder.
- Lot size, sanitation and waste disposal meet NYS Ag standards.
- Under no circumstances shall chickens be transported without a veterinarian confirmation that the birds are free of the Avian Flu virus.

(6) If the property is not owner occupied, regardless of size or District, the tenant must provide the Huron Building Department with written permission from the property owner to shelter and keep domestic animals/fowl other than household pets on the property.