

*Town of Huntington, NY
Saturday, August 3, 2019*

Chapter 78. Animals

Article IV. Pigeons, Chickens and Ducks

§ 78-25. Chickens and Ducks.

- (A) It shall be unlawful to cause, permit or allow chickens or ducks to be kept in such manner as to constitute a nuisance or to create a hazard to public health or in any manner which either annoys, disturbs, injures or endangers or tends to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of the public.
- (B) Regulations.
- (1) No person shall keep, maintain, house or possess more than eight (8) chickens or ducks or any combination thereof on any premises.
 - (2) All pens, coops or houses maintained for the keeping of chickens or ducks in all zoning districts shall comply with the setback and side yard requirements set forth at § 198-13(B)(4), pertaining to the keeping of household pets.
 - (3) The pens, coops or houses in which such chickens or ducks are kept must be cleaned once each day and maintained in a sanitary condition, free of refuse, debris and any other dirt or excess food, so as not to endanger the public health and safety.
 - (4) Chicken or duck refuse and feed must be stored in metal containers and securely covered with metal covers.
 - (5) There shall be no less than two (2) square feet of floor space per chicken or duck in any pen, coop or house in which such chickens or ducks are kept. The pen, coop or house shall be large enough to provide adequate access for cleaning and egg collecting.
[Amended 10-10-2018 by L.L. No. 29-2018]
 - (6) Pens, coops or houses shall be suitably screened from the view of surrounding residences and surrounding streets by a fence or by shrubs, unless said pen, coop or house is located in such a manner as not to be visible from the surrounding residences and streets.
 - (7) Chickens and ducks shall be confined at all times to the property on which they are kept, possessed or maintained.
 - (8) Any chickens or ducks maintained, housed or possessed and all eggs produced from said chickens or ducks shall be for the sole use and consumption of the homeowner or tenant in possession and shall not be offered for resale.
 - (9) In no instance will roosters be permitted.

§ 78-26. Additional requirements.

All structures in which pigeons, chickens and ducks are kept are considered accessory structures and shall require all necessary permits.

§ 78-29. Penalties for offenses.

[Amended 8-12-2016 by L.L. No. 36-2016]

- (A) Except as otherwise provided in this article, any person committing an offense against any provision of this article shall be guilty of a violation punishable by a fine of not less than one hundred (\$100.) dollars nor more than five hundred (\$500.) dollars for the first offense, not less than two hundred and fifty (\$250.) dollars nor more than one thousand (\$1,000.) dollars for the second offense, and not less than seven hundred and fifty (\$750.) dollars nor more than two thousand five hundred (\$2,500.) dollars for the third and subsequent offense committed within eighteen (18) months of the first offense.

- (B) In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue civil and equitable relief, including but not limited to compensatory actions; civil penalties in the amount of up to five hundred (\$500) dollars per day, or part thereof; an action to compel compliance with or to restrain by injunction the violation of this article; and other remedies which in the opinion of the Town Attorney may seem necessary and proper. Such civil and equitable relief may be sought in a court of competent jurisdiction. Any civil monetary penalty awarded may be added to the tax bill of the property where the violation has occurred and shall be collected in the same manner.