

**VILLAGE OF BALLSTON SPA
BUILDING DEPARTMENT**

Dave LaFountain
Code Enforcement Officer
66 Front Street, Ballston Spa, NY 12020
518-885-3167
buildinginspector@villageofballstonspa.org

CHICKEN PERMIT REQUIREMENTS

1. Site inspection with the building inspector prior to housing chickens.
2. Completed chicken permit application.
3. Proof of ownership of the property or lease agreement.
4. A plot plan showing location of proposed rear yard chicken housing area.

UPON APPROVAL OF ABOVE, YOU WILL BE ISSUED A PERMIT TO HOUSE
CHICKENS IN COMPLIANCE WITH LOCAL LAW #3 OF 2019

**VILLAGE OF BALLSTON SPA
CHICKEN PERMIT APPLICATION**

Applicant _____ Phone _____
Address _____ City _____ State _____ Zip _____
Property Owner (if different) _____ Phone _____
Address _____ City _____ State _____ Zip _____
Zoning District _____ Tax Map # _____

Description of chicken housing area:

AFFIDAVIT: I swear to the best of my knowledge and belief the statements made in this application, together with the plans and specifications submitted, are a true and complete statement. I further understand and agree that I will keep my chickens and their area in compliance with the attached local law #3 of 2019 at all times. Evidence of false statements in the application for this permit will be cause for revocation of permit.

OWNERS SIGNATURE _____ DATE _____

By signing this chicken permit application, I, and all occupants, tenants, co-tenants, and assigns, consent to allow the Village assessors, and their agents, to conduct site visit(s) and enter upon my property for the purpose of obtaining information and photos in order to determine real property tax assessment.

OWNERS SIGNATURE _____ DATE _____

Permit Granted Date _____ Permit Fee (non-refundable) _____ Signed _____

Permit # _____ Issued _____ Expires _____

Permit Denied Date _____ Signed _____

Reason For Denial _____

Variance/Special Permit# _____ Date _____

Local Law Filing

(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.

☐ County ☐ City ☒ Village
(select one.)

of Ballston Spa

Local Law No. 3 of the year 2019

**A LOCAL LAW AMENDING CHAPTER 81 ANIMALS, SPECIFICALLY ARTICLE VI,
SECTION 28 ENTITLED "LIVESTOCK: PROHIBITED ACTS" OF THE VILLAGE
CODE OF THE VILLAGE OF BALLSTON SPA**

Be it enacted by the Village Board of the Village of Ballston Spa as follows:

**VILLAGE OF BALLSTON SPA
LOCAL LAW NO. 3 OF THE YEAR 2019
A LOCAL LAW AMENDING CHAPTER 81 OF THE CODE OF THE VILLAGE OF
BALLSTON SPA CODE ENTITLED "ANIMALS"**

Section 1. Name of Local Law

This local law shall be referred to as "A Local Law amending Chapter 81, Section 28 of the Code of the Village of Ballston Spa entitled 'Animals.'"

Section 2. Findings and Intent

It is the intent of the Board of Trustees of the Village of Ballston Spa to permit the raising of chickens within the Village under certain conditions.

Section 3. Enactment

Be it enacted by the Village Board of the Village of Ballston Spa that Chapter 81, Section 28 of the Code of the Village of Ballston Spa be hereby amended as follows:

§81-28 Permitted and Prohibited Acts.

A. It shall be unlawful to keep within the Village of Ballston Spa any livestock as defined in this Article, except at authorized Village events or by any resident who is issued a permit by the

building inspector which will enable the applicant to maintain up to six female chickens, as designated in the permit. Roosters shall not be permitted within the village boundaries. The permit may be issued in the discretion of the building inspector, provided sections 1 and 2 below are demonstrated by the resident, together with any other requirements which shall be included within the permit application.

1. The applicant is 18 years or older.
 2. The applicant have control over or possess a rear yard area, by deed, lease, or otherwise, which exceeds 800 square feet, which is not constrained by buildings, decks, sheds, swimming pools, or other similar structures and driveways. If an applicant is a tenant in a building of two or more units, the application must be accompanied by a letter of permission from the landlord. If the landlord's permission is subsequently withdrawn, the application will become null and void. If two or more tenants, sharing the same lot, each seek an application, the yard area must include an extra 200 square feet for each additional application.
 3. The applicant pay the required application fee as specified in the village's fee schedule.
- B. The permit to allow chickens may remain valid, at the discretion of the building inspector, as long as the applicant complies with the following:
1. A shelter for hens or nesting house for chicks and fenced yard is required and must be placed in rear yards and will not be positioned closer than twenty feet from any neighboring residence, porches, decks and patios, unless the neighbor provides written authorization which allows the yard and coop to be closer. Neither the nesting house nor fencing shall be considered permanent structures or structures under Chapter 205 Zoning.
 2. The hens will be enclosed in a fence and/or shelter at all times.
 3. Hens shall be supplied with water and food at all times and be cared for in conformity with generally accepted practices. Feed will be laid out and stored so as not to attract wild animals.
 4. Manure shall be maintained to so as not to be a nuisance to neighbors.
 5. Any violation of the above requirements cited by the building inspector or animal control officer is to be corrected within three days of receipt of the citation by any member of applicant's household who is of suitable age and discretion.
 6. If a cited violation is not corrected in three days, or if two notices of violation within six months have been issued, then the permit to have hens shall be revoked by the building inspector and the hens removed from the property within five business days.
 7. If an applicant has had a permit revoked, then that person and all other members of the applicant's household and/or living at that address shall not be given a permit to possess hens

in the village for two years from the date of revocation. An unrevoked permit shall continue to be effective until the applicant ceases to reside at the residence stated in the permit, or until all permits are terminated by action of the Village Board of Trustees.

8. Permission to possess hens in the Village is a privilege and not a right. It shall be presumed that the applicant is responsible to care for the hens.

Section 4. Authority

This Local Law is enacted pursuant to the authority of Section 10 of the New York State Municipal Home Rule Law.

This Local Law supersedes and replaces Chapter 81, Article VI, section 28 entitled "Prohibited Acts" which is hereby amended as set forth above. This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law. All provisions of the Code of the Village of Ballston Spa regarding legal requirements for the enactment of this Local Law to the extent inconsistent with the Municipal Home Rule Law are hereby superseded.

Section 5. Severability

If any part or provision of this local law is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part of provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances. The Village hereby declares that it would have enacted the remainder of this law even without such part of provision or application.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State pursuant to the New York State Municipal Home Rule Law.

[HISTORY: Adopted by the Village Board of the Village of Ballston Spa on August 12, 2019 by L.L. No. 3 of 2019]

(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. 3 of 2019 of the (County)(City)(Village) of Ballston Spa was duly passed by the Village Board of the Village of Ballston Spa on August 12, 2019, in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)~~