

STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
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ANDREW M. CUOMO  
GOVERNOR  
CESAR A. PERALES  
SECRETARY OF STATE

January 27, 2016

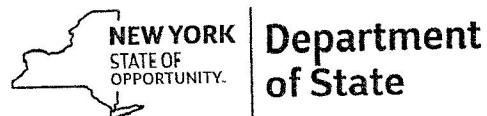
Village Clerk  
41 North Main Street  
Dolgeville NY 13329

**RE: Village of Dolgeville, Local Law 1 2016, filed on January 26, 2016**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



# 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  Town  Village  
(Select one.)

of Dolgeville

Local Law No. 1 of the year 20 16

A local law permitting the harboring and personal use of certain female chickens  
(insert Title)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Dolgeville as follows:

AS ATTACHED

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(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 1 of 2016 of the ~~(County)(City)(Town)(Village)~~ of Dolgeville was duly passed by the ~~Board of Trustees~~ Board of Trustees on January 19 2016, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20    , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

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.

*Rammy L. Chmielewski*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: January 20, 2016

(Seal)



*Local Law # 1-2016  
Permitting the harboring  
and personal use of  
certain female chickens  
Resolution # 7-2016*

**LOCAL LAW NO. 1 OF 2016**

A Local Law Permitting the Harboring and Personal Use of Certain Female Chickens

- I. FINDINGS.** The Village of Dolgeville Board of Trustees finds that allowing local residents to harbor and personally use certain female chickens would not, if appropriately regulated, be detrimental to the environment or general health, welfare and comfort of the local community.
- II. PERMISSIVE CONDUCT.** Notwithstanding any other local law to the contrary, it shall be permissible in the Village of Dolgeville, upon conditions hereafter provided, for homeowners and, upon approval of landlords, persons leasing an entire home and property, to harbor and personally use a maximum of eight (8) pullets or hens of the species "Gallus gallus domesticus", hereafter referred to as "female chickens".
- III. PRE-REQUISITE.** No otherwise eligible person shall harbor and personally use "female chickens" unless a written application is filed with the Planning Board and, upon approval of such application, a one time fifteen (\$15.00) dollar fee is paid.
- IV. APPROVAL CRITERIA.** The application criteria upon which the Planning Board will base its determination to either grant or deny a permit to harbor and personally use "female chickens" is as follows:
1. An enclosed, backyard chicken coop must be able to be constructed at least twenty (20) feet from the house on, and at least five (5) feet from the boundary line of, an abutting property or properties.
  2. The enclosed chicken coop plan must depict a humane design, provide for proper ventilation, be large enough to confine eight (8) "female chickens" to the backyard, and be capable of being securely locked and noninvasive by animal predators and/or scavengers.
  3. A zoning compliant minimum four (4) feet, maximum six (6) feet, high fence must be shown as able to be erected for outside backyard control of "female chickens".

4. Chicken feed must be shown as able to be kept in metal latching vermin proof containers.

**V. VIOLATIONS.** The following acts and omissions constitute violations of this local law and will subject the violator to the penalties hereafter prescribed:

1. Harboring and personally using “female chickens” without having first obtained a required permit from the Planning Board.
2. Harboring and personally using more than eight (8) “female chickens” at any time.
3. Engaging in the on-premises sale of “female chickens” or the eggs produced by “female chickens”.
4. Failing to confine “female chickens” in an approved on-premises and enclosed backyard chicken coop during the hours of dusk to dawn.
5. Failing to control “female chickens” in the backyard by means of an approved zoning compliant minimum four (4) feet, maximum six (6) feet, high fence.
6. Maintaining unsanitary chicken coop or backyard conditions such as to pose a potential health risk to either humans or animals.
7. Maintaining unsanitary chicken coop or backyard conditions such as to adversely affect the welfare or comfort of humans or animals.

**VI. PENALTIES.** A violation of this local law shall subject the alleged violator to the following penalties:

1. Upon a first violation, a warning letter.
2. Upon a second violation occurring at any time after a first violation, a fine of fifty (\$50.00) dollars to be imposed by a local Court of competent jurisdiction.
3. Upon a third violation occurring at any time after a second violation, revocation of the Planning Board permit and preclusion from obtaining another permit for a minimum period of five (5) years.
4. Upon a violation occurring at any time subsequent to the reissuance of a Planning Board permit previous revoked, permanent preclusion from obtaining any further such permit.

**VII. ENFORCMENT.** Enforcement of this local law shall occur in the following manner:

1. Monitoring for compliance with the provisions herein shall be conducted by the Village Of Dolgeville Police Department with notification of any alleged violation provided to the Village of Dolgeville Planning Board. Service thereafter of any warning letter shall be given by the Planning Board. The revocation of any Planning Board permit, or the recommendation by the Planning Board for the service of any legal process, shall be approved by the Dolgeville Village Board.
2. Service of a warning letter hereunder shall be completed simultaneously by both certified mail, return receipt requested and regular mail.
3. Service of legal process hereunder to secure the presence of an alleged violator in a court of competent jurisdiction shall be made personally.

**VII. EFFECT.** This local law shall take effect upon its filing with the Secretary of State.

AYES: Trustees Puznowski, Reynolds and Mayor Lyon

NAYS: Trustee Herringshaw

ABSENT: Trustee Martyniuk

ADOPTED – January 19, 2016