

TOWN OF HURLEY
LOCAL LAW NO. __ OF THE YEAR 2022
A LOCAL LAW AMENDING CHAPTER 210
OF THE TOWN OF HURLEY CODE TO ALLOW
KEEPING OF CHICKENS AND BEES

BE IT ENACTED by the Town Board of the Town of Hurley as follows:

SECTION 1. AMENDMENT OF CHAPTER 210

Chapter 210 is hereby amended by the adoption of the following section 210-27:

Section 210-27 Keeping of Chickens and Bees

A **Chickens**: To facilitate public understanding and for convenience in administration, and to avoid potential impacts on neighboring properties, as well as providing for the health and welfare of the chickens, the keeping and raising of chickens in R-1 and R-2 residential zones for personal use is permitted with the following restrictions:

1. For properties under ½ acre, no more than 6 hens may be housed on the property at any time. Properties ½ acre or larger may have up to 10 hens. No roosters, guinea hens or peacocks are permitted.
2. The raising of the chickens is for personal use only. Sale of eggs, chickens, and manure may not be commercially offered for sale with the exception of incidental sale of eggs.
3. The coop must be set back a minimum of 50 feet from the property line. It must be enclosed on all sides and roofed, with adequate ventilation and room for perching.
4. Provision must be made for the storing of feed in a dry container.
5. Chicken manure must be properly composted in a sanitary and best practices manner as per Cornell University College of Agriculture guidelines or periodically removed from the premises. Composting of manure shall be permitted no closer than 50 feet to any well head, lot line, stream or other body of water.
6. If the presence of chicken manure shall lead to excessive odors or unsanitary conditions such as the attraction of pests, insects or rodents, such condition must be rectified to this local law or the right to keep chickens may be revoked.
7. The area set aside for exercise must be adequately fenced to contain the chickens to the owner's property so as not to create a nuisance to nearby property owners, or a safety hazard to the animals themselves.
8. Those lands located in a New York State Certified, Ulster County Agricultural District are exempt from the above.

B. Beekeeping:

1. The number of hives depends on the size of the property, the buffer space between the homeowner and the nearest neighbor. Hives shall be set back a minimum of 10 feet from the property line.
2. All bee colonies shall be kept in inspectable hives consisting of moveable frames. Hives shall be continually managed to provide adequate living space for their resident bees to prevent swarming.

3. A water source shall be provided on property to discourage the bees from migrating to water sources on adjacent public or private property.
4. Hives are best placed as far away from neighboring properties, roads, sidewalks, trails, and other pedestrian rights-of-way. Hive entrances should face in a direction so that bees leaving the hive fly across the owner's property. If bees are flying into public right-of ways and/or directly onto neighbors' properties, you must redirect flight paths up and away from neighboring properties and public right-of-ways by using 6- foot barriers such as hedges, shrubs, fabric, or fencing erected in front of the hive entrance.
5. When there is evidence of disease the hive must be treated to avoid spreading the disease to other neighboring hives.

SECTION 2. AMENDMENT OF CHAPTER 210, ATTACHMENT 1, SCHEDULE OF USE REGULATIONS

Chapter 210, Attachment 1, Table of Use Regulations, is hereby amended by:

the addition of "Keeping of Chickens and Bees" to the list of General Uses immediately following the entry for "Agriculture (including the keeping of fowl or farm animals)";

adding the following footnote, "Keeping of chickens and bees are uses permitted by right subject to the standards and requirements set forth in Section 210-27; and

entry of the letter "P" for all zoning districts.

SECTION 3. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

SECTION 4. CONFLICT WITH OTHER LAWS.

Where this Law differs or conflicts with other Laws, rules and regulations, unless the right to do so is pre-empted or prohibited by the County, State or federal government, the more restrictive or protective of the Town and the public shall apply.

SECTION 5. AUTHORITY

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local law shall supersede the provisions of the Town Law to the extent it is inconsistent with same, and the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

SECTION 6. EFFECTIVE DATE.

This Law shall become effective upon filing with the New York State Secretary of State.

Adopted: _____, 2022