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Int. No. 849

By Council Members Sabini, Marshall and Able; also Council Members Harrison, Koslowitz and McCaffrey

A Local Law to amend the administrative code of the city of New York, in relation to requiring that all chickens owned, possessed, or controlled by a resident within the city of New York be kept in a pen.

Be it enacted by the Council as follows:

Section 1.   Chapter one of title 17 of the administrative code of the city of New York is hereby amended by adding a new section 17-182 to read as follows:

Section 17-182. Penning of chickens

a. Any person who owns, possesses or controls a live chicken within the city of New York shall at all times keep such chicken within a pen to prevent it from roaming at large in any public place or in any open or unfenced area abutting a public place. For purposes of this section, the term "pen" shall mean an enclosure within which an animal may be kept that is sufficiently secure to prevent such animal from escaping.

b. The commissioner shall promulgate any rules as may be necessary for the purpose of implementing and carrying out the provisions of this section.

c.   The department shall enforce the provisions of this section.

d. Any person found to be in violation of this section shall be liable for a civil penalty of not more than two hundred fifty dollars for the first violation and not more than five hundred dollars for the second and each subsequent violation. A proceeding to recover any civil penalty authorized pursuant to the provisions of this section shall be commenced by the service of a notice of violation which shall be returnable to the administrative tribunal established by the board of health or to any body succeeding the administrative tribunal. Such tribunal or its successor shall have the power to impose the civil penalties prescribed by this section.

§ 2. This local law shall take effect immediately.

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