

**PLANNING & DEVELOPMENT  
COMMITTEE MEETING  
April 5, 2021**

Chairman Walker called the meeting to order at 6:45 p.m.

***MEMBERS PRESENT:*** Councilor Walker, Councilor McBrearty, and Councilor Corradino.

***OTHERS PRESENT:*** Councilor Hill; Councilor Burrige; Councilor Plunkett; Councilor Gosek; Christopher Baker, Director of Information Technology; Deborah Coad, City Chamberlain; Fire Chief, Randall Griffin; Caroline Anderson, Animal Control Officer; Craig Rebeor, Assistant Commissioner of Public Works; Jeff Hinderliter, City Engineer; Mark Tesoriero, City Clerk; Kevin Caraccioli, City Attorney; Mayor William J. Barlow, Jr.

***MEDIA PRESENT:*** Randy Pellis, Oswego Shopper.

**OLD BUSINESS:** There was no old business.

A motion to approve the minutes of the March 1, 2021 meeting was made by Councilor Corradino and seconded by Councilor McBrearty. Minutes were approved by a unanimous vote.

**NEW BUSINESS:**

1. **Caroline Anderson, Animal Control Officer, requests discussion for the approval of proposed amendments to Chapter 63, Animals, of the Oswego City Code. This process requires a public hearing to be scheduled April 26, 2021.** Caroline Anderson stated that it has been many years since any of the livestock laws in the City Code have been addressed and some of these changes are very common in other municipalities already. These changes would put in effect some limits on what animals someone can own within the City. For instance, you cannot own mini horses in the City. The only thing that the new update would allow is chickens, at a maximum of six, and they would have to have a permit and be inspected annually. There are multiple residents throughout the City that have a couple of backyard chickens and we don't get too many complaints about them. We get more complaints when people have goats, ducks, mini horses, or an over-abundance of chickens. There's also an exception in there for bees because there are a couple of people in the City that have hives for honey. We have another potential amendment because right now our law states that people can't buy chickens or ducklings in quantities of less than 25. Every year for the past several years we've had to come forward and get an amendment for CountryMax and Tractor Supply to sell chickens in quantities of six (6), which is keeping with the State number. All this does is change the quantity of twenty-five (25) to the State standard of six (6). Finally, the last amendment we are proposing, is in regard of feeding animals, because we have received some complaints about people feeding animals not in containers, or in loose in piles of food in their yard which attracts rodents and wildlife. The amendment that we're requesting is adding that people can't feed

animals out in the open where it allows food to be available to rodents. If food is in a bird feeder or if you have an indoor/outdoor cat and you feed it in your enclosed porch would be acceptable. It is just when it's out in the open in the backyard and attracting wildlife and rodents and causing a problem to the neighborhood. Councilor Walker asked what the maximum number of chickens you can have is, no more than six on each property? Anderson said yes and it's going to eliminate most people that have a small piece of property. It has to be a certain number of feet from the property line. It is six chickens, but only regarding people who have very large yards. People will be required to apply for a permit and it would be inspected annually and you would have to make changes if they were not providing the proper care or causing a problem where the neighbors complain because of smells or anything like that. Councilor Walker asked if people have to have a chicken coop. Anderson said yes, and they would need a pen because you cannot let them loose, and they have to be in an enclosed area. It has to be 25 feet from any neighboring dwelling and 10 feet from property line. Councilor Corradino asked what would happen if his neighbor next door has a miniature horse. Would it be grandfathered in or would they have to get rid of it? The City Attorney explained that it is not zoning, it is an ordinance that deals with the control of animals, and he thinks they may end up having to find a new location for that animal. That is something that is worthy of discussion here. Councilor Corradino asked if there is a deadline after this gets passed. The City Attorney said a deadline could be put into place or there could be a provision for an effective date and build in a time frame for people to make those arrangements to get rid of the animals. We will prepare an actual amendment that complies with the general code requirements because what we have before you are your references to amendments that will show up in Chapter 63, but these are just the exceptions for bees and certain types of chicken. We ought to see it in local law form – and within that we should discuss effective days. Once you file a local law, the default provision is that it becomes effective immediately upon filing. But you can always put in your own date upon which a law is effective. Councilor Gosek said he has witnessed chickens running wild and understands that technically they would be subject to a fee. Anderson said yes, they can be ticketed if you can produce evidence that the chicken was off their property, so they could receive a ticket for that violation. The \$50.00 fee that is mentioned in the code would be if we impounded the chicken. Councilor Hill spoke on how he has witnessed the disturbances caused by animals being free-fed and asked Anderson if she is responsible for issuing tickets. Anderson said that she is and, in most situations, she tries to give warnings first, tell them the law that they need to comply to. But if it's a chronic issue, she has the ability to issue tickets. Councilor Hill said the effective date should be as soon as possible because some of the impacts that will be corrected under this provision are pretty substantial. The City Attorney stated that they ended up removing an excess of 200 chickens and quail from a traditional dense neighborhood where there was a very active slaughtering, processing, and wholesale distribution business operating. For no other reason than to prevent that type of activity from occurring, he thinks this is a law well worth updating.

**COMMITTEE DECISION:** Councilor Corradino made a motion to forward a favorable recommendation to the Full Council to approve the proposed amendments to Chapter 63, Animals, of the Oswego City Code. This process requires a public hearing to be scheduled April 26, 2021. Councilor McBrearty seconded the motion, unanimous approval.

***THE RESOLUTION THAT WAS PART OF THE MEETING WILL BE FORWARDED TO THE FULL COUNCIL.***

A motion to adjourn the meeting was made at 6:59 p.m. by Councilor Corradino. A second was made by Councilor McBrearty, unanimous approval.

Respectfully Submitted,

  
Sydney Mangano