

Chapter 6.08

LIVESTOCK AND FOWL

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6.08.010 Swine

It is unlawful to maintain or keep at any time any hogs, pigs, or swine within the corporate limits of the City.

(Ord. 157 Sec. 1(A), 1965, Ord. 1283 Sec. 14, 2006)

6.08.020 Livestock - Location restrictions

It is unlawful to keep cows, goats, sheep, horses, or other large animals of the hoofed variety unless such animals are situated within a lot or pen of an area of not less than One-half (1/2) acre, which lot or pen shall not be closer than One Hundred Feet () to any residence other than that of the owner of the livestock and not closer than One Hundred Feet () to any business or residence regularly used. (Ord. 157 Sec. 1(B), 1965, Ord. 1283 Sec. 15, 2006)

6.08.030 Small animals and fowl - Compliance with regulations

Small animals such as rabbits and guinea pigs and fowls, such as chickens, pigeons, turkeys, roosters, and the like may be kept within the City limits subject only to applicable regulations

contained in this Code. In all circumstances, such fowl shall be maintained no closer than One Hundred Feet (100') from any residential structure or public street. (Ord. 835, 1988, Ord. 1283 Sec.16, 2006)

6.08.040 Small animals and fowl - Housing - Floor space

All such animals and fowl must be provided with adequate housing. Floor space in such houses must have the following:

- A. Rabbits and other such four-legged, fur-bearing animals, four square feet (4 SF) per animal over four (4) months of age;
- B. Turkeys, four square feet (4 SF) per bird over four (4) months of age;
- C. Chickens, pigeons and other similar fowl, two square feet (2 SF) per bird over four (4) months of age;

(Ord. 157 Sec. 2(A), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 17, 2006)

6.08.050 Small animals and fowl - Housing - Distance from business establishments and residences

All pens or yards where such animals are kept shall be placed the following minimum distances from any business establishment and/or any residence other than that of the owner of said animals or fowl:

- A. Rabbits – One Hundred Feet (100')
- B. All other animals – One Hundred Feet (100')

(Ord. 157 Sec. 2(B), 1965, Ord. 1283 Sec. 18, 2006)

6.08.060 Feed stores and poultry houses - Keeping of animals

Feed stores may keep poultry and animals for demonstration purposes provided same are kept inside the business building and comply with all sanitary regulations provided in this chapter. Poultry houses may keep fowls for sale provided same are kept inside the business building and comply with all the sanitary regulations provided in this chapter. (Ord. 157 Sec. 3, 1965, Ordinance. 1283, Sec. 19, 2006)

6.08.070 Housing and pens - Disposal of manure

It is unlawful for any person having authority to control the use of any stable, pen, lot, shed, stall or other place where animals, livestock or fowls are kept to allow the same to become filthy, malodorous or unsanitary. Every person who owns or keeps such animals, livestock, or fowl shall maintain in connection therewith a garbage can, bin, or pit in which the manure from such animals shall be placed pending removal from the premises. Such garbage can, bin, or pit shall be provided with covers or other devices, approved by Animal Control, and sufficient to prevent the ingress and egress of flies and other insect pests. Said garbage can, bin, or pit shall be located at a point most remote from the house of the nearest neighbor or the nearest business building and most remote from any street or avenue, while remaining on the premises of the owner. All persons controlling such places where animals or fowls are kept shall remove all manure from such garbage cans, bins, or pits before same becomes malodorous or unsanitary.

It is further provided, however, that any person may use said manure upon his premises for the purpose of enriching his own ground or for any other purpose to which manure can properly be put when the same is not offensive or unsanitary.

(Ord. 157 Sec. 4(part), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 20, 2006)

6.08.080 Housing and pens - Drainage

All places wherein any animals covered by this chapter are kept shall have adequate drainage sufficient to prevent standing water in yards or pens. Duck ponds shall be drained and cleaned regularly.

(Ord. 157 Sec. 4(part), 1965, Ord. 1283 Sec. 21, 2006)

6.08.090 Housing and pens - Lime covering

All yards or pens wherein livestock is kept shall be regularly covered with lime or other suitable chemical agents as may be approved by Animal Control to prevent odors, nuisances, for unsanitary conditions.

(Ord. 157 Sec. 4(part), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 22, 2006)

6.08.100 Housing and pens - Penalty for violation

Any condition failing to meet such regulations and regulations of JMC § 6.08.040 - 6.08.090 shall be deemed a nuisance, and the person allowing such nuisance to exist shall be punished as provided herein. (Ord. 157 Sec. 4(part), 1965, Ord. 1283 Sec. 23, 2006)

6.08.110 Livestock at large - Prohibited

No horse, mule, mare, colt, jack, jenny, swine, cow, sheep, goat, or any other livestock of any kind shall be allowed to run at large within the City. It is unlawful for the owner or person in charge of any of the animals above mentioned to allow any of such animals to run at large within the City contrary to the provisions of this Code.

(Ord. 157 Sec. 7(A)(1), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 24, 2006)

6.08.120 Livestock at large - Impoundment

Whenever any such animal or livestock as set forth in Section 6.08.110 is found to be running at large within the limits of the City, the same shall be impounded. (Ord. 157 Sec. 7(A)(2), 1965, Ord. 1283 Sec. 25, 2006)

6.08.130 Impounded livestock - Notice to owner - Reclaiming

A. Notice to Owner - Whenever Animal Control takes charge of any animal of the kind set forth within JMC § 6.08.110 for the purpose of impounding the same, Animal Control shall make a reasonable effort to notify the owner of such animal, if known, that the animal has been impounded and of the manner in which the animal may be reclaimed.

B. Reclaiming - Any person owning, possessing, or keeping an animal which has been allowed to run at large and which has been impounded by Animal Control may claim and retrieve such animal from City Control by paying a fee of Ten Dollars (\$10.00) per day, together with any damage done by said animal and/or cost incurred in keeping and maintaining said animal, together with court costs and a fine of no less than:

First offense	\$ 50.00
Second offense	\$ 75.00
Third offense	\$100.00
Subsequent offense(s)	\$250.00

(Ord. 1071, 1996, Ord. 1283 Sec. 26, 2006)

6.08.140 Impounded livestock - Unclaimed - Disposal

If the owner of such animal fails or refuses to claim and repossess such animal by the payment of the proper fee assessed, Animal Control may, after a period of Five (5) days, convey ownership of such animal which has become the property of Animal Control to a responsible person subject to such conditions as may be prescribed by Animal Control, or Animal Control may have such animal humanely destroyed. (Ord. 157 Sec. 7(A)(4), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 27, 2006)

6.08.150 **Small animals and fowl - Running at large - Prohibited**

It is unlawful for any person, firm, or corporation to permit small animals or fowl to run at large within the corporate limits of the City. (Ord. 157 Sec. 7(B)(1), 1965, Ord. 1283 Sec. 28, 2006)

6.08.160 **Small animals and fowl - Running at large – Impoundment -Fees**

Any small animal, chicken, or other fowl prohibited from running at large by this ordinance which trespasses upon the property of persons used as a residence may be impounded by Animal Control. The owner(s) of said chickens, small animals, or fowl, if known, must be notified and such owner shall be entitled to possession thereof upon the payment of the fees hereinafter provided and the damage done by such animals, chickens, or fowls. The fees for each animal, chick, or fowl will be Ten Dollars (\$10.00) per day. (Ord. 157 Sec. 7(B)(2), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 29, 2006)

6.08.170 **Small animals and fowl - Unclaimed - Disposal**

If the owner of the animals of fowls impounded, after being notified thereof, neglects to pay the fees and damages, Animal Control may, after a period of not less than Five (5) days, dispose of the small animals, chicken, or fowl in the most humane and feasible means possible. (Ord. 1071, 1996, Ord. 1283 Sec. 30, 2006)

6.08.180 **Diseased animal - Keeping prohibited**

It is unlawful for any person to have and keep any animal, species of livestock, or fowl infected with a disease which may contaminate other animals, livestock, fowl and/or which may be a health hazard to the public. (Ord. 157 Sec. 9(A), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 31, 2006)

6.08.190 **Diseased animal - Treatment or disposal**

Any livestock, animals or fowl within the limits of this City when said disease is discovered, shall immediately be treated or humanely destroyed and disposed of under the direction or order of the Animal Control Officer: provided such animal, livestock, or fowl has been diagnosed by competent veterinarian inspection to bear such infection. Any veterinarian may enter the premises of the owner of such livestock, animal, or fowl upon request by City authorities for the purpose of making such inspection when such disease is suspected without being guilty of any form of trespass. (Ord. 157 Sec. 9(B), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 32, 2006)

6.08.200 **Dead or diseased animals – Promulgation of Rules and Regulations**

Animal Control is ordered, directed, and authorized to make and promulgate such suitable regulations not in conflict with this Code as necessary to govern the care of disposition of any dead or diseased animal, livestock, or fowl found within the limits of this City. (Ord. 157 Sec. 9(C), 1965; Ord. 1071, 1996, Ord. 1283 Sec. 33, 2006)

6.08.210 **Maintenance of Premises and Disturbing Noises**

An owner of fowl shall maintain his premises in such a manner as not to constitute either a private nuisance to adjoining property owners or a nuisance to the public generally. Pens in which

fowl are confined or maintained shall be cleaned regularly so that they are kept free of offensive odors which would disturb any person residing within a reasonable distance of said premises, and the fowl themselves shall be restrained in such a fashion that noise emanating from them will not be disturbing to such persons and/or the public. (Ord. 835, 1986; Ord. 1071, 1996, Ord. 1283 Sec. 34, 2006)

6.08.220 Enforcement and penalties

Any person found guilty of any of the above provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) for each such offense. If such violations continue, each separate day the violations exist shall constitute a separate offense. (Ord. 1071, 1996, Ord. 1283 Sec. 35, 2006)