

ORDINANCE NO. 14 FOR 1977

ORDINANCE NO. 688

AN ORDINANCE AMENDING ORDINANCE NO. 370, MAKING ADDITIONAL PROVISIONS IN REGARD TO KEEPING ANIMALS WITHIN THE CITY AND IN REGARD TO FENCES, AND DECLARING AN EMERGENCY.

THE CITY OF SWEET HOME DOES ORDAIN:

Section 1. Section 3 of Ordinance No. 370 is hereby amended to read as follows, to-wit:

Section 3. Animals and Fowl.

(1) No person shall keep any animal or fowl, wild or domesticated, in the city, except as permitted by the city zoning ordinance.

(2) Common domesticated animals, such as dogs, cats, birds, and other animals that can be claimed as household pets, may be kept in the city of Sweet Home. Household pets must be those animals or birds that can be kept safely in residential quarters without causing a health problem, even though the owner may not intend to keep the animal in his residential quarters. Household pets may not be allowed to wander free and unattended, and may not be allowed to cause a nuisance to other residents. The keeping of common domesticated animals does not include the operation of kennels, breeding pens, and commercial training schools, except where authorized under the provisions of the zoning ordinance.

(3) Where residents of the city wish to keep animals, other than household pets, i.e., farm animals, horses, cows, sheep, goats, chickens, rabbits, pigs, etc., on five (5) contiguous acres or more, they may do so providing that the city is notified in writing.

(4) Where residents of the city wish to keep horses on less than five (5) contiguous acres, they may do so providing that:

(a) they have one (1) acre that is exclusively set aside for each animal.

(b) that the overall location at which the animal(s) are residing have a contiguous minimum dimension of one and one half (1 1/2) acres.

(c) that there be an enclosed shelter/feeding area for such animal(s) and there be adequate fencing to contain such animal(s).

(5) Where residents of the city wish to keep cows and pigs on less than five (5) contiguous acres, they may do so providing that:

(a) they have one half (1/2) acre that is exclusively set aside for each such animal.

(b) that the overall location at which the animal(s) are residing have a contiguous minimum dimension of one (1) acre.

(c) that there be an enclosed shelter/feeding area for such animal(s) and there be adequate fencing to contain such animal(s).

(6) Where residents of the city wish to keep animals comparable in size to goats and sheep on less than five (5) contiguous acres, then they may do so providing that:

(a) they have one quarter (1/4) of an acre that is exclusively set aside for each such animal.

(b) that the overall location at which the animal(s) are residing have a contiguous minimum dimension of three quarters (3/4) of an acre.

(c) that there be an enclosed shelter/feeding area for such animal(s), and there be adequate fencing or controls to

(7) Where residents of the city wish to keep animals comparable in size to rabbits and fowl on less than five (5) contiguous acres, then they may do so providing that:

(a) that there be a maximum of no more than twenty four (24) rabbits or fowl, or a combination thereof, residing on a minimum overall location of one half (1/2) acre.

(b) that there be an enclosed shelter/feeding area for such animal(s), and that there be adequate fencing to contain such animal(s).

(8) Each case where animals other than household pets are kept must be determined appropriate by the city manager. The city manager will not consider any request valid for deliberation unless the appropriate minimum standards specified under sub sections 3 through 7 have been met. Animals being kept in the city at the time that this ordinance is enacted, that do not conform with the requirements of this ordinance, may continue to be kept on the same premises until they die, subject to the provisions of (subsection 9); and provided that animals that die may be replaced by animals of the same kind and number and the nonconforming use continued only upon authorization of the city manager.

(9) The avenue of appeal of city manager's decision is the city council, who may by majority decision reverse the decision of said city manager.

(10) If, after allowing said special animal use, it proves to become a nuisance and inconvenience to the city and neighbors, or a public health problem, the council reserves the right to revoke the allowed animal use.

Section 2. Section 11 of Ordinance No. 370 is hereby amended to read as follows, to-wit:


Section 11. Fences.

(1) No person shall construct or maintain any barbed-wire fence or allow barbed-wire to remain a part of any fence, unless such wire is used for agricultural purposes, or placed not less than six (6) inches above the top of a board, picket, or chain link fence which is not less than six (6) feet high.

(2) Persons may install, maintain and operate electric fences only for agricultural purposes within the city.

Section 3. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 26 day of July, 1977.



Mayor

ATTEST:

