COPY

ORDINAINCE 2008-1.

AN ORDINANCE PROVIDING FOR THE KEEPING OF LIVESTOCK IN THE CITY OF BAUXITE, ARKANSAS; DECLARING AND EMERGENCY.

WHEREAS, the city Council of the City of Bauxite (City), Arkansas has made a comprehensive study and the following has been determined to be of the best interest for the City.

Section 1. **Keeping of hoofed livestock.**

(a) The Keeping within the corporate limits of the City, of cows, mules, horses, swine, sheep, goats or other hoofed livestock shall be allowed subject to the provisions of this Ordinance and applicable provisions of the Zoning Code as amended.

(b) All pens or enclosures where hoofed livestock are kept shall be not less than 1000 feet from any residence or business establishment; provided, however, that this restriction shall not apply to a residence or business of the livestock's owner.

(c) Pens and enclosures for hoofed livestock shall meet the following minimum requirements:

(1) Horses, cows, swine and other large hoofed livestock.

a. One acre (43,560 square feet) per one horse, cow, swine or other large hoofed livestock or combination thereof.

b. A minimum five-foot fence when the livestock are horses, mules, asses or donkeys; a minimum three-foot, six-inch high fence for all other livestock. Said fence shall be of a standard design and material for the proper constraint of the type of large-hoofed livestock;

c. Adequate shelter from weather elements, which provides the animals adequate to stand, turn and stretch comfortably; provided, however, that cows are excluded.

(2) Sheep, goats and other small hoofed livestock.

a. One-half acre (21,780 square feet) per two sheep, goats or other small-hoofed livestock or combination there, minimum of one-half acre for the first such animal;

b. Adequate shelter from weather elements which provides the animals adequate space to stand, turn and stretch comfortably; and

c. Pen or enclosure of standard design and material for the proper constraint of the type of small-hoofed livestock kept.

Section 2. **Keeping of small livestock and poultry.**

(a) The keeping of small livestock and poultry such as rabbits, chickens, guineas and turkeys is permitted within the corporate limits of the City, subject to the provisions of this Ordinance.

(b) Small livestock and poultry shall be confined within an area containing adequate housing meeting the following minimum floor space requirements:

(1) Rabbits. Six (6) square feet per animal over four (4) months of age

(2) Turkeys. Eight (8) square feet per bird over four (4) months of age

(3) Chickens and similar foul. Four (4) square feet per bird over four (4) months of age.

(c) All pens, houses and enclosures where small livestock or poultry are kept shall be not less than one thousand (1000) feet from any residence or business establishment; provided, however, that this restriction shall not apply to a residence or business establishment of the livestock's owner.

Section 3. **Conditions of pens and enclosures.**

All livestock pens and enclosures shall be maintained and kept in such condition as not to become unsanitary, offensive or disagreeable to persons residing in the vicinity thereof, nor shall they be so maintained or kept to permit the breeding of flies or in any manner cause injury to the health or comfort of the public or any person working or residing in the vicinity of said pen or enclosure. Manure or refuse shall be promptly removed and disposed of after each cleaning in accordance with all applicable rules, regulations and laws.

Section 4. **Annual Permit.**

The owner of any hoofed livestock shall obtain a permit for keeping of said livestock from the City. The purpose of said permit shall be to ensure compliance with this Ordinance. Said permit shall be on a form prescribed by the City Code Enforcement Officer and shall be issued upon satisfactory demonstration of compliance with this Ordinance.

(a) After a livestock animal is removed for a period of five (5) days, the provisions of pre-existing conditions will not apply.

(b) The otherwise lawful keeping of any livestock within the City, existing on or before the effective date of this Ordinance or existing on or before the effective date of any enlarged, either upon the same or adjoining property nor shall any subsequent discontinuance of such keeping be restored except in compliance with this Ordinance.

(c) (R-1) Low-density residential district are exempt from this Ordinance.

Section 5. Whereas, it is necessary for the efficient operation of City of Bauxite, Arkansas, an emergency is hereby declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety shall take effect and be in force from and after its passage and approval.

Adopted this 21 day of April, 08.

ATTEST

MAYOR GARY E. DUNCAN

RECORDER BRENDA HENDRIX

CITY OF BAUXITE, ARK. CLERK