

CITY OF FARMINGTON

BILL 26062016

ORDINANCE 4-46

AN ORDINANCE OF THE CITY OF FARMINGTON, MISSOURI, AMENDING THE MUNICIPAL CODE OF THE CITY OF FARMINGTON, TITLE II: PUBLIC HEALTH SAFETY AND WELFARE, CHAPTER 205: ANIMAL REGULATIONS, ARTICLE IV: LIVESTOCK.

WHEREAS, the City Council desires to amend the Municipal Code according to said recommendation; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, MISSOURI, AS FOLLOWS:

SECTION 1. That the Municipal Code of the City of Farmington, Title II: Public Health Safety and Welfare, Chapter 205: Animal Regulations, Article IV: Livestock, Section 205.340: Keeping Livestock in Business and Residential Areas Prohibited, is hereby deleted in its entirety and replaced with the following new Section as follows:

Section 205.340. Keeping Livestock in Business and Residential Areas Prohibited.

- A. Except as provided in Subsection B of this Section, it shall be unlawful for any person owning or keeping livestock to keep the same in the business district of this City or in a strictly residential area of this City. For the purpose of this Section, the term "*strictly residential area*" shall mean and include any area within the limits of this City which has been either zoned, or platted and recorded for residential purposes.
- B. The keeping of chickens shall be allowed as an accessory use in single family residential zoning districts pursuant to the following restrictions:
 - 1. No more than five (5) hens shall be permitted for each single-family dwelling.
 - 2. Roosters shall not be permitted.
 - 3. Chickens shall be at all times confined within a fully enclosed tractor, coop or a fully enclosed pen. The coop or fully enclosed pen shall be of sufficient design to prevent escape of the chickens and must be maintained in a sanitary condition and good repair at all times.
 - a. Chicken tractors, coops or pens must be located at least fifty (50) feet from any neighboring residential dwelling or place of business.
 - b. Chicken tractors, coops or pens must be located at least twenty five (25) feet from any side yard lot line and fifteen (15) feet from any rear yard lot line.
 - c. Chicken tractors, coops or pens must be located wholly within the rear yard.

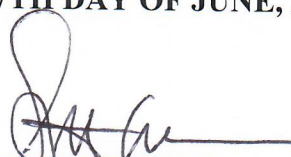
4. All manure and other discharges from the chickens shall be collected regularly and properly removed from the premises or tilled into the soil to prevent offensive odors or other public nuisances.
5. All chicken tractors, coops, or pens shall be considered "Accessory Structures" and shall require a permit pursuant to Title V: Building Code.
6. It shall be unlawful to engage in chicken breeding, sales or fertilizer production for commercial purposes.
7. Odors from chickens, chicken manure, or other chicken related substances perceptible at the property boundary of neighboring property are hereby declared a nuisance and may be abated pursuant to Chapter 215 of this Code.
8. Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.
9. Chickens that attract predators such as snakes, feral cats, or wildlife resulting in complaints from neighboring property owners are hereby declared a nuisance and may be abated pursuant to Chapter 215 of this Code.
10. Any violation of this Section that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is hereby declared a nuisance and may be abated pursuant to Chapter 215 of this Code.

SECTION 2. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

SECTION 3. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 4. This Ordinance shall be in full force and effect from and after the date of its passage.

DULY READ AND PASSED THIS 27TH DAY OF JUNE, 2016.



Stuart "Mit" Landrum, Mayor

ATTEST:

Paula Cartee
Paula Cartee, City Clerk

Approved this 27th day of June, 2016.

Stuart "Mit" Landrum
Stuart "Mit" Landrum, Mayor

ATTEST:

Paula Cartee
Paula Cartee, City Clerk

APPROVED AS TO FORM:

R. Scott Reid
R. Scott Reid, City Counselor