

ORDINANCE 214

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAKEFIELD BY REVISING SECTION 91.06, ENTITLED GRAZING ANIMALS, AND SECTION 91.10, ENTITLED EXEMPTIONS AND BY ADDING SECTION 91.11, ENTITLED EXOTIC ANIMALS.

91.06 GRAZING ANIMALS. A) It shall be unlawful for any person to keep goats or swine on any premises within the city, except in slaughterhouses and yards adjacent thereto or with a special use permit granted by the City in accordance to Section 91.10

B) It shall be unlawful for any person to keep any grazing animal closer than 200 feet from any residential dwelling not owned by the animal's owner. Any person desiring to maintain grazing animals shall provide two acres of land for each grazing animal kept on the premises. No grazing animal shall be permitted to roam off the property of its owner and all grazing animals shall be confined by a two-wire electric non-barbed fence approved by the City. In the movement of grazing animals, it shall be unlawful to ride or lead them in any residential area other than upon designated bridle paths and the premises of the animal's owner, except during ceremonial occasions in which those animals are normally seen and shall comply with the provisions of Section 91.10.

91.10 EXEMPTIONS.

A) EXEMPTIONS FOR LIVESTOCK - Livestock, may be kept or housed on a noncommercial basis on parcels of land containing at least two (2) acres for each animal, example: three (3) animals require six (6) acres. Any resident, who would like to keep livestock on their property, must obtain a permit from the Building Inspector; have stables, barns or similar shelters available; keep the area clean, healthful and in an inoffensive manner; enclose the area by a fence kept in reasonable repair to prevent livestock from exiting the area; and keep the potentially adverse effects of noise or odors on adjacent property to a minimum so as not to create a nuisance.

B) EXEMPTIONS FOR GOATS

In order to make this chapter flexible to meet the changing trends, the authorization of special uses to be conducted upon approval of the Planning Commission and City Council is made. In this way, the chapter does not become a rigid document that cannot be altered, but serves as a guideline upon which the Planning Commission, with the approval of

the City Council, may make enlightened judgments keeping the ownership of animals within the general philosophy of this chapter.

(1) PROCEDURES FOR MAKING APPLICATION FOR A SPECIAL USE PERMIT TO OWN GOATS

- a) Registered or purebred and miniature goats may be owned, possessed, or harbored, subject to the issuance of a special permit. The procedures set forth in this section shall be followed in application of special use permits.
- b) Applications shall be submitted through the City Clerk to the Planning Commission.
- c) Application shall be made on a special form provided for that purpose, confirming the following information:
 - (1) It shall be unlawful for any person to own a registered, purebred and miniature goat which: weighs more than 50 pounds, is more than 40 inches from nose to tail and/or is higher than 22 inches at the shoulder; is not spayed or neutered upon reaching maturity; has not undergone a blood test to show the animal is free from pseudorabies; or is maintained as a food source.
 - (2) It shall be unlawful for any person to own more than one (1) registered, purebred and miniature goat at any one dwelling or premises.
- d) The Planning Commission shall review the application in accordance with the standards herein, and shall decide each application on the basis of whether or not the proposal will be harmonious with, and in accordance with, the general and specific objectives of this chapter.
- e) The Planning Commission shall, after adequate study and review of the application, hold a Public Hearing on the application after at least one publication in a newspaper of general circulation in the City, at least five days prior to the date of the hearing, indicating the time, place and subject of the hearing, as well as sending Notice to property owners within 300 feet of the applicant's dwelling.
- f) The Planning Commission will make a recommendation to the Council, who will have the option to conduct a Second Public Hearing to gain input on the request.

- g) The City Council may issue a special use permit after the conclusion of hearing procedures, and subsequent written agreement with the applicant concerning exact conditions to be met by the applicant in accordance with the approved permit.

(2) CANCELLATION OF GOAT SPECIAL USE PERMIT

The City may cancel any special use permit when conditions authorized by the permits have been violated.

C) **EXEMPTIONS FOR PIGS**

(1) PROCEDURES FOR MAKING APPLICATION FOR A SPECIAL USE PERMIT TO OWN PIGS

- a) Registered, purebred and miniature pigs may be owned, possessed, or harbored, subject to the issuance of a special permit. The procedures set forth in this section shall be followed in application of special use permits.

- b) Applications shall be submitted through the City Clerk to the Planning Commission.

- c) Application shall be made on a special form provided for that purpose, confirming the following information:

(1) It shall be unlawful for any person to own a registered or purebred and miniature pig which: weighs more than 80 pounds, is more than 40 inches from nose to tail and/or is higher than 20 inches at the shoulder; is not spayed or neutered upon reaching maturity; has not undergone a blood test to show the animal is free from pseudorabies; or is maintained as a food source.

(2) It shall be unlawful for any person to own more than one (1) registered, purebred and miniature pig at any one dwelling or premises.

- d) The Planning Commission shall review the application in accordance with the standards herein, and shall decide each application on the basis of whether or not the proposal will be harmonious with, and in accordance with, the general and specific objectives of this chapter.

- e) The Planning Commission shall, after adequate study and review of the application, hold a Public Hearing on the application after at least one publication in a news-

paper of general circulation in the City, at least five days prior to the date of the hearing, indicating the time, place and subject of the hearing, as well as sending Notice to property owners within 300 feet of the applicant's dwelling.

- f) The Planning Commission will make a recommendation to the Council, who will have the option to conduct a Second Public Hearing to gain input on the request.
- g) The City Council may issue a special use permit after the conclusion of hearing procedures, and subsequent written agreement with the applicant concerning exact conditions to be met by the applicant in accordance with the approved permit.

(2) CANCELLATION OF PIGS SPECIAL USE PERMIT

The City may cancel any special use permit when conditions authorized by the permits have been violated.

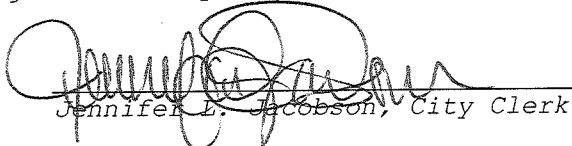
91.11 EXOTIC ANIMALS

- A) No person shall possess or harbor any dangerous exotic animals. The term "dangerous or exotic animal" means and includes any wild mammal, reptile or fowl which is not naturally tame or gentle, but is of a wild nature or disposition, and which because of its size, vicious nature or other characteristics would constitute a danger to human life or property.
- B) Dangerous and exotic animals include, but are not limited to:

Any poisonous animals, fish, reptiles or insects; and Alligators, apes, chimpanzees, gibbons, gorillas, orangutans, baboons, bears, bisons, bobcats, cheetahs; crocodiles, constrictor snakes, coyotes, deer, elephants, foxes, game cocks and other fighting birds, hippopotamus, hyenas, jaguars, leopards, lions, lynxes, ostrich, piranha fish, pumas, cougars, mountain lions, panthers, rhinoceroses, shark, spider, snow leopard, and wolves.

Adopted: November 11, 2013

I, Jennifer L. Jacobson, City Clerk, duly appointed and qualified clerk of the City of Wakefield, do certify that the above Ordinance was adopted at a regular meeting of the City Council held on November 11, 2013.


Jennifer L. Jacobson, City Clerk