

ORDINANCE NO. 482

AN ORDINANCE TO REGULATE THE HOUSING OF ANIMALS RESTRICTED TO HORSES AND CATTLE OF THE EQUINE AND BOVINE FAMILY IN A RESTRICTED AREA THAT MUST BE TWO (2) ACRES OR MORE CONTIGUOUSLY EXCLUDING BUILDING STRUCTURES AND OTHER OBJECTS THAT WOULD RESTRICT THE ACREAGE TO LESS THAN TWO (2) ACRES TO BE CONFINED WITHIN THOSE ENCLOSED AREAS BY TENANTS, LEASE HOLDERS OR OWNERS LOCATED IN THE CITY OF RECTOR.

WHEREAS; The City Council has received complaints concerning the housing, maintenance and keeping of horses and cattle within the city limits of the City of Rector.

WHEREAS: The City Council has decided that it would be in the best interest of the animals (horses and cattle) that they be restricted and limited to a maximum number that may be kept within the city limits of the City of Rector.

THEREFORE, effective January 1, 2003, no individual, public entity, corporation (public or private), or lease holder will be allowed to keep horses or cattle within the city limits of the City of Rector unless the below exceptions apply;

A) An owner, tenant or lease holder who has two (2) acres or more, excluding buildings, houses, storage sheds or any such structure that would reduce the acreage below two (2) acres then the ordinance would not apply. The two (2) acres must be contiguous and cannot be separated by any street, alley or walkway.

B) This exemption would not apply to land that is zoned agriculture in the City of Rector.

SECTION 1: Therefore, an owner, tenant, lease holder who qualifies in Paragraph 3 shall be allowed to keep two (2) animals per acre. The animals may be of

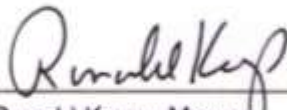
a mixed class of the bovine and/or equine pedigree and does not indicate that an owner or tenant is restricted to all equine or bovine family members.

SECTION 2: The owner, tenant or lease holder must afford the animals adequate housing and keep the animals and surrounding area in a condition that does not create a nuisance for the adjoining land owners.

SECTION 3: Violation of this ordinance shall be a misdemeanor and the fine for each violation shall be a minimum of twenty-five dollars(\$25.00) and a maximum of one hundred dollars (\$100.00) and each day of such violation will be considered as a separate offense.

SECTION 4: The burden shall be on the land owner, tenant or lease holder to adequately demonstrate that they control or occupy the two (2) acres and that if a survey is required to adequately demonstrate the land owner, tenant or lease holder shall bear that expense.

SECTION 5: It has been determined that this ordinance is necessary and is vital to the health, welfare and safety of the public, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.


Ronald Kemp, Mayor

ATTEST:


City Clerk-Recorder

DATE: 12-2-02