

Sponsor: Mayor Dale Rife
First Reading: 10/3/11
Second Reading: 11/7/11

ORDINANCE #6-11

**AN ORDINANCE REGULATING THE KEEPING OF LIVESTOCK OR POULTRY
AND THE RUNNING AT LARGE OF POULTRY OR LIVESTOCK WITHIN THE
LIMITS OF THE TOWN OF WYOMING**

WHEREAS, the Town of Wyoming is authorized under its Town Charter to define, prevent and abate all nuisances;

WHEREAS, the Town Council of the Town of Wyoming finds that livestock and poultry kept or used within the town limits must be properly regulated to avoid being a nuisance; and

WHEREAS, the Town Council of the Town of Wyoming has repealed Ordinance #8 "An Ordinance Defining the Nuisance Caused by the Keeping of Livestock or the Running at Large of Poultry or Livestock Within the Limits of the Town of Wyoming and Providing a Penalty Therefor", including Amendment #1 and Amendment #2, in anticipation of enacting this ordinance;

BE IT HEREBY ENACTED by the Town Council of the Town of Wyoming, a majority thereof concurring in council duly met, that "Ordinance #6-11, An Ordinance Regulating the Keeping of Livestock or Poultry and the Running at Large of Poultry or Livestock within the Limits of the Town of Wyoming" be, and hereby is enacted as follows to wit:

An Ordinance Regulating the Keeping of Livestock or Poultry and the Running at Large of Poultry or Livestock within the Limits of the Town of Wyoming

Section 1. The keeping of livestock or poultry within the limits of the Town of Wyoming in such a manner as to cause foul odors to arise therefrom shall be deemed a nuisance.

Section 2. All poultry and livestock kept within the limits of the Town of Wyoming shall be properly secured to prevent escape from the premises whereon the poultry or livestock are held. It shall be unlawful for any person or persons to purposely or inadvertently allow any poultry or livestock to run at large within the limits of the Town of Wyoming.

Section 3. It shall be unlawful and constitute a nuisance to walk or ride any livestock, including but not limited to any pony, horse or other draft animal upon the streets, sidewalks, or alleyways within the limits of the Town except pursuant to a special permit granted for the purposes of a parade.

Section 4. Upon making a determination that a nuisance exists as defined in this ordinance, the Town Council shall adopt a written resolution outlining the circumstances causing

the nuisance and declaring a nuisance to exist. Said resolution shall be signed by the mayor or acting mayor and shall require the individual(s) responsible for the existence of the nuisance to abate the same. The resolution shall dictate that if the individual(s) responsible for maintaining the nuisance fails to remove or abate the nuisance within two days after the resolution is mailed to the individual, Council shall have power and authority to remove or abate the same in a summary manner and at the expense of the responsible individual(s) (which expenses shall include, but not be limited to, reasonable attorney's fees incurred in enforcement and/or litigation, and court costs). Any expenses shall be in addition to the penalties set forth herein.

Section 5. The penalty for violating any provision of this ordinance shall be a fine of not less than twenty-five (\$25.00) dollars nor more than fifty (\$50.00) dollars. Each and every day a nuisance is not abated shall constitute a new violation.

Synopsis

This ordinance defines as a nuisance the keeping of livestock or poultry that cause foul odors, allowing the same to run at large within the town, and prohibits riding livestock in town unless a special permit is granted to be part of a parade. This ordinance outlines procedures for declaring a nuisance and penalties for violating the ordinance.

This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Wyoming at a duly-noticed and convened meeting at which a quorum was present on November 7, 2011.

Attest: *Parvula B. Haddock*
Town Clerk

So Certifies:
Travis Dale Rife
Mayor

This shall certify that a copy of this Ordinance was posted at the Town Hall on 11/10, 2011.

11/10
Date

So Certifies:
Parvula B. Haddock