

ORDINANCE 283

**AN ORDINANCE RESTRICTING THE KEEPING OF
LIVESTOCK AND POULTRY WITHIN THE CORPORATE CITY LIMITS
OF THE CITY OF MARMADUKE ARKANSAS.**

Whereas, the keeping and maintaining of certain animals with in the corporate limits of Marmaduke Arkansas creates conditions hazardous to life and health; and

Whereas, the maintenance of certain animals within the corporate limits of the City of Marmaduke Arkansas results in the creation of a public nuisance and is obnoxious to adjoining property owners.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Marmaduke:

SECTION 1: That from and after the passage and approval of the ordinance, it shall be unlawful for any person, firm, partnership or corporation to keep, maintain or permit to run at large within the corporate limits of the City of Marmaduke Arkansas any cows, horses, goats, hogs, sheep, rabbits or poultry, except as hereinafter provided.

SECTION 2: The keeping and maintaining of any cows, horses, goats, hogs, sheep, rabbits or poultry is allowed in all areas zoned agriculture.

SECTION 3: Also, in all areas zoned other than agriculture the keeping and maintaining of rabbits and poultry may be allowed by obtaining a permit from City Hall at a cost of \$25.00. Also, if the property owner has 3 or more contiguous acres then they will be allowed to keep cows, horses, goats or sheep. The permit shall be required only once, but will be revoked if said animals are allowed to create a nuisance to adjoining property owners.

SECTION 4: The keeping of cows, horses, goats, hogs, sheep, poultry or rabbits in enclosures as herein provided within the City of Marmaduke Arkansas shall be under the supervision and control of the Chief of Police. Should any of the enclosures become harbors for breeding of flies, mosquitoes and rats or should they become unsanitary, obnoxious, unhealthy and/or discomforting to any of the citizens of the City of Marmaduke Arkansas because of the conditions created by keeping said animals, the Chief of Police, upon verifying such conditions to exist, shall serve written notice on the owners or keepers of said premises as to the conditions thereof by delivering a copy of the notice to the owner or the keeper, or by posting the same in a conspicuous place on the premises. If with five days after service of the notice, said owner or keeper has not corrected the condition, the Chief of Police shall make application for the Warrant of Arrest for the owner or keeper of said animals.

SECTION 5: The number of rabbits or poultry permitted in areas zoned other than agriculture will be limited to 6, unless the property consist of 3 or more contiguous acres .

SECTION 6: The violation of this ordinance is hereby declared to be a misdemeanor, and it shall be the duty of the Chief of Police to enforce the provisions thereof. Upon conviction, the offender shall be fined in a sum not less than \$25.00 nor more than \$100.00 for each and every offence and each twenty-four period shall constitute a separate offence.

Section 7: The Marmaduke High School animal science programs are exempt from this ordinance, but is expected to keep all animals in a clean environment.

SECTION 8: The City Council of the City of Marmaduke Arkansas having determined that some individuals are keeping or maintaining some of the aforementioned animals on property not zoned agriculture, these animals will be grand-fathered in, but the owners or keepers must immediately acquire permits for these animals as defined in Section 3, and upon the demise of these animals they cannot be replaced.

SECTION 9: The passage of this ordinance repeals Ordinance 179 and all other ordinances pertaining to the maintaining and keeping of livestock and poultry inside the corporate limits of the City of Marmaduke Arkansas.

Date: 01.03-2017

Attest: Betty Jackson

By: Steve King