

ORDINANCE NUMBER 24-06-11A

AN ORDINANCE AMENDING SECTION 4-3 OF CHAPTER 4 ANIMALS

WHEREAS, The Town of Lake Lure finds it necessary to modify the section regarding keeping of livestock within the corporate limits; and

WHEREAS, Section 4-3 of the Animals Regulations of the Town of Lake Lure states that, “it shall be unlawful to keep or maintain any cow, mule, sheep, goat, hog, or other livestock or fowl on any lot or within any pen, stable, or other enclosure or building within the corporate limits; and

WHEREAS, Town staff believes that a public school is distinctly different from other commercial or residential properties; and

WHEREAS, The keeping of goats and chickens for educational use at public schools has been reviewed and recommended by the Zoning and Planning Board as an amendment to Section 4-3; and

WHEREAS, Town staff believes that the keeping of goats and chickens for educational use at public schools should be permitted within established limits; now, therefore, be it

ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF TOWN COUNCIL VOTING IN THE AFFIRMATIVE.

SECTION ONE. Section 4-3 of the Animals Regulation of the Town of Lake Lure is hereby amended as follows:

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~.]

Sec. 4-3. Livestock

- (a) *Keeping of livestock prohibited.* It shall be unlawful to keep or maintain any cow, mule, sheep, goat, hog, other livestock, or fowl other than hens as defined in section 4-1, on any lot or within any pen, stable, or other enclosure or building within the corporate limits. This section shall not be deemed to prohibit the assembling of livestock for shipment or the unloading from shipment of livestock, provided that such livestock are not kept within the corporate limits for more than 24 hours prior to shipment or subsequent to unloading. Nor shall this section be deemed to prohibit the keeping of livestock for educational purposes as described in section 4-3(d).
- (b) *Horses and ponies.* Horses and ponies may be kept within town limits for pleasure or recreational purposes only, provided that no horse or pony is kept, housed, penned, or maintained in a shed, stall, stable or other place within 200 feet of a residence, including the owner's or boarder's residence, church, store or other place of business. All pens, sheds, stalls or stables, or structures in which the same may be kept, housed or penned, shall at all times be required to be kept clean, disinfected and sanitary, and the same shall not emit at any time any noxious or offensive odor or smell which can be detected by and is offensive to the occupant of any house in the town. Safeguards must be utilized and maintained to minimize the breeding and dissemination of rodents and flies by the use of appropriate pesticides and feed-storage facilities. The pasturing of any horse or pony will be limited to one animal for every two acres of pasture.
- (c) *Hens.* Up to four (4) hens may be kept within town limits, on residentially zoned properties, for non-commercial purposes only, provided that no hen is kept, housed, penned or maintained within 100 feet of a residence other than the owner's or tenant's, a church, store or other place of business. Additionally, hens shall be kept separated from any property line by a minimum of 50 feet and a minimum of 75 feet from any body of

water or roadway. All areas where hens are kept shall at all times be required to be kept clean, disinfected and sanitary, and the same shall not emit at any time any noxious or offensive order which can be detected by and is offensive to the occupant of any dwelling in the town. Safeguards must be utilized and maintained to minimize the breeding and dissemination of rodents and flies by the use of appropriate pesticides and feed-storage facilities. Hens must be kept within a completely enclosed chicken coop and/or run, the total area of which shall not exceed 160 square feet in size. The free ranging of hens is prohibited. Any individual keeping hens within the town must obtain an annual registration permit to be in compliance with this section of the Code of Ordinances.

- (d) Livestock for educational purposes. Goats and chickens may be kept within town limits by a public school for educational purposes, with specific approval by Town Council, provided that no goat or chicken is kept, housed, penned, or maintained in a shed, stall, stable or other place within 200 feet of a residence, church, store or other place of business. All pens, sheds, stalls or stables, or structures in which the same may be kept, housed or penned, shall at all times be required to be kept clean, disinfected and sanitary, and the same shall not emit at any time any noxious or offensive odor or smell which can be detected by and is offensive to the occupant of any house in the town. Safeguards must be utilized and maintained to minimize the breeding and dissemination of rodents and flies by the use of appropriate pesticides and feed-storage facilities.
- (e) *Effect upon existing livestock.* Persons keeping or maintaining within the corporate limits any of the animals named in subsection (a) of this section, shall remove them from the corporate limits in order to comply with subsection (a) of this section not later than six months from the effective date of the ordinance from which this subsection is derived.
- (f) *Violations.* In any event, if any horse, pony, goat or hen being kept pursuant to this section becomes noncompliant with these provisions, upon written notice given by the town to either the owner of the horse, pony or hen or the possessor of said horse, pony, goat or hen, that owner or possessor shall have seven days to correct the deficiencies noted in the written notice, and failure to correct the deficiencies noted in the written notice shall constitute a violation of this chapter.

The Town of Lake Lure Town Council deems Ordinance No. 24-05-14 to be reasonable and in the public interest because it adopts the permitting of specific livestock for educational purposes at any public school within the town corporate limits.

Adopted this ____ day of _____, 2024.

ATTEST:

Olivia Stewman
Town Manager

Carol C. Pritchett
Mayor

Approved as to content & form:

William C. Morgan, Jr.
Town Attorney