

Bill Farmer, Chair

Chuck Ellinger, Vice Chair

Linda Gorton

Steve Kay

Chris Ford

Tom Blues

Diane Lawless

Julian Beard

Doug Martin

Peggy Henson

Staff:

Jenifer Benningfield

AGENDA
PLANNING AND PUBLIC WORKS
COMMITTEE
June 19th, 2012
1:00pm

- | | | |
|---------------------------------------|-------|--------------|
| 1. Animal Ordinance | Beard | (1-2) |
| 2. Design Excellence Update | Blues | |
| 3. Items Referred to Committee | | (3) |

Future Committee Meetings

August 14 - 1:00pm

September 18 - 1:00pm

October 16 - 1:00pm

November 20 - 1:00pm

December 11 - 1:00pm

“Planning and Public Works Committee, to which should be referred matters relating to the Division of Planning and including, but not limited to, matters related to housing, infill and redevelopment, purchase of development rights and historic preservation, and any related partner agencies and the Department of Public Works and its related divisions, including capital improvement projects and any related partner agencies.”

ORDINANCE _____

AN ORDINANCE AMENDING SECTION 4-11 OF THE CODE OF ORDINANCES, RELATING TO THE KEEPING OF HOGS, GOATS AND PIGS, TO PERMIT THE KEEPING OF PYGMY, DWARF OR MINIATURE GOATS AND POT BELLY OR MINIATURE PIGS; TO PROHIBIT THE OWNER OR HARBORER OF SUCH AN ANIMAL FROM: PERMITTING THE ANIMAL TO MAKE NOISE SUFFICIENT TO DISTURB THE PEACE AND QUIET OF THE NEIGHBORHOOD, ALLOWING THE ACCUMULATION OF ANIMAL EXCREMENT, OR PERMITTING THE EXISTENCE OF UNSANITARY CONDITIONS IN ENCLOSURES OR SURROUNDINGS WHERE THE ANIMAL IS KEPT; TO INCREASE THE FINE FOR VIOLATION; AND TO PERMIT THE IMPOUNDING OF ANY ANIMAL WHICH IS THE SUBJECT OF ANY VIOLATION .

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 4-11 of the Lexington-Fayette Urban County Government Code of Ordinances be and hereby is amended to read as follows:

4-11 Hogs, goats, pigs; keeping

- (a) The keeping of hogs, goats or pigs within any area of the urban county except those zoned agricultural is hereby prohibited and declared unlawful. This prohibition shall not apply to:

- (1) goats which are no larger than 24 inches at the withers, provided that males are neutered by six (6) months of age if each animal is provided at least 20 square feet of 3-sided sheltered space and at least 60 square feet of open space, and no more than six (6) are kept at a single residence; or
- (2) pigs commonly known as pot belly or miniature which are no larger than 22 inches at the withers and weigh no more than 119 pounds, provided that no more than two (2) are kept at a single residence and that females are spayed and males neutered by six (6) months of age.

- (b) It shall be unlawful for the owner or harborer of an animal listed above to permit:

- (1) The animal to make such noise as to disturb the peace and quiet of the people in the neighborhood where the same is kept;
- (2) The accumulation of animal excrement so as to cause unsightly litter or fouling of the air by odor and thereby create an unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or
- (3) Unsanitary conditions in enclosures or surroundings where the animal is kept or harbored.

~~[A violation of the provisions of this section shall subject the offender to a fine of five dollars (\$5.00) and each day such a violation shall continue shall be deemed a separate offense.]~~

- (c) Any slaughter of these animals shall comply with section 10-33.1 of the Code of Ordinances.

- (d) Any person who violates this section shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for a first offense; not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for a second offense in a twelve-month period; not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for a third offense in a twelve-month period; and not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for a fourth and each subsequent offense in a twelve-month period. Each day's continuance of any such violation shall be a separate offense.
- (e) Any animal which is the subject of any violation of this section may be impounded as set forth in section 4-21.

Section 2 – That this Ordinance shall become effective upon its date of passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

Item	Referred by	Date	Status
Oliver Lewis Way Project	Blues	04/09/2009	Quarterly Update
Todds Road Widening Phase II	Sinnott	04/15/2010	Quarterly Update
Erecting Large Utility Poles in ROW	Martin	03/12/2010	
Re-Paving Program	Martin	04/13/2011	
Working with FCPS to sustain Road Salt Services	EQ Link	06/19/2011	
Downtown Traffic Study			
Right of Entry and Administrative Warrants	Sinnott	08/16/2011	
Chapter 4 of UCG Code re: Harboring Animals	Beard	09/27/2011	
Review Street Tree and Tree Protection Ordinances	Martin	09/27/2011	
Article 16 Zoning Ord: Off Parking Requirements/StormWater Management	Lawless	11/22/2011	
Building Permit Extensions in ND-1 and H-1	Lawless	02/21/2012	
Design Excellence Update	Blues	05/08/2012	
Emergency Preparedness	PS Link	05/17/2012	
Possible Revision of Sign Ordinance	Farmer	06/12/2012	