BEFORE THE CITY COUNCIL OF THE CITY OF KENSETT, ARKANSAS

ORDINANCE NO. 2009-6

AN ORDINANCE AMENDING ORDINANCE NO. 2009-4 OF THE CITY OF KENSETT COUNCIL CONCERING ANIMALS HAVING SPLIT HOOVES AND HORSES AND MULES WITHIN THE CITY LIMITS OF THE CITY OF KENSETT, ARKANSAS. THEREOF, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

Whereas, this ordinance pertains to the animals with split hooves and livestock such as horses and mules section of ordinance 2009-4 only. The section on fowl shall remain in full force.

Whereas, a need has arisen to prohibit split hooved animals within residential zones of the City of Kensett, Arkansas and

Whereas, the City Council of the City of Kensett, Arkansas, has concluded to prohibit any livestock and split hooved animals within the residential zones of the City of Kensett, Arkansas.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENSETT, ARKANSAS, AS FOLLOWS, TO – WIT:

Section 1: That is hereby declared that allowing animals with split hooves within the residential zones of the City of Kensett, Arkansas, is dangerous and a nuisance to the safety and security of the citizens of the City of Kensett, Arkansas.

Section 2: That is declared unlawful to allow any split hooves within the residential zone of of the City of Kensett, Arkansas.

Section 3: The animals with split hooves may be permitted in agricultural zones with the approval of the city council on a case by case basis.

Section 4: Horses and mules may be kept within the city limits of Kensett when certain conditions are met, such as, but not limited to, the animals having adequate space and shelter.

Section 5: Prior to moving any horse or mule into the city limits of Kensett a written request must be submitted to and approved by the city council.

Section 6: All animal pens and living areas must be kept clean and free of built up of feces and other matter that may cause as noxious or offensive odor to disturb the normal living conditions of persons living nearby.

Section 7: The City of Kensett Animal Control Officer as well as City of Kensett Police Department shall have the authority to perform inspections of pens and living areas as well as welfare checks of any animal within the city of Kensett, Arkansas at any time.

Section 8: That any individual found in violation of any part this ordinance by allowing their split hooved animals or horses and mules to live outside the prescribed areas or to live within the city limits of Kensett, Arkansas shall be guilty of a misdemeanor and upon conviction, thereof, shall be fined in addition to applicable court costs the sum of no less than $50.00 nor more than $300.00. Each day that the provisions of this ordinance are violated shall constitute a separate offense

PASSED AND ADOPTED THIS 20 **DAY OF** Oct, **2009**

Max McDonald

Mayor Max McDonald

ATTEST:

Linda Fuller

Linda Fuller, City Recorder