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PERRY COUNTY FISCAL COURT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO THE PROPER KEEPING AND CARE OF LIVESTOCK AND FOWL IN PERRY COUNTY, AND ESTABLISHING STANDARDS AND REGULATIONS FOR THE PROPER KEEPING A CARE OF LIVESTOCKAND FOWL

Whereas, the Perry County Fiscal Court, pursuant to KRS 67.083 has the authority to enact ordinance relating to the control of animals and abatement of public nuisances; and

Whereas, the Perry County Fiscal Court recognizes that portions of Perry County remain rural and agricultural in nature, and that this ordinance is no way is intended to hinder or restrain the livelihood of livestock producing farmers; and

Whereas, the Perry County Fiscal Court finds that this Ordinance is necessary for the preservation of the public welfare, health and safety:

Now, therefore, be it Ordained by the Perry County Fiscal Court as follows:

SECTION 1  
DEFINITIONS

(1) LIVESTOCK means any equine, bovine, sheep, goats, or swine.

(2) EQUINE means horses, ponies, mules, donkeys, burros, and any miniature version thereof.

(3) FOWL means chickens, roosters, ducks, geese, turkey, pheasant and any other domesticated bird.

(4) ANIMAL CONTROL OFFICER means an individual employed and appointed by the Perry County Fiscal Court who works under the direct supervision of the Perry County Judge Executive to enforce the provisions of Kentucky law and local animal ordinances.

SECTION 2  
HUMANE TREATMENT

Livestock and fowl shall be provided shelter from the weather, shade during the summer, and constant access to fresh water. All places where livestock and fowl are kept shall be of an adequate size for the number of animals kept therein to permit adequate exercise and adequate safety. All places where livestock and fowl are kept shall be in

good repair with sanitary conditions free of accumulated waste and debris so that the animal(s) shall be free to walk or lie down without coming into contact with said waste or debris, and shall have adequate drainage to prevent the animal(s) from having to continuously stand in mud or muck.

Livestock and fowl shall be provided adequate food which shall be free of contamination and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal(s).

Living conditions of all livestock and fowl shall be subject to inspection by the Animal Control Officer during reasonable hours, and failure to meet standards shall be grounds for issuance of citations.

### SECTION 3 NUISANCE PROHIBITED

All owners of livestock and fowl shall have a duty to keep said livestock and fowl in such a manner as to not create a public nuisance. A public nuisance is defined as a condition which injures or endangers the safety or health of the public. The failure to keep an animal's living quarters in a sanitary condition and free from preventable offensive odors shall be deemed a public nuisance.

### SECTION 4 LOT SIZE AND DISTANCE FROM OTHER RESIDENCES

The minimum lot size for keeping livestock shall be one acre. Livestock and fowl shall be kept within an adequate fence or enclosure. All livestock and fowl shall not be kept within less than 200 feet from the nearest residence of another person.

### SECTION 5 ENFORCEMENT

The Animal Control Officer shall have the authority to issue a "Notice of Violation" to any owner or keeper of livestock and/or fowl who is in violation of any provision of this Ordinance. The owner or keeper of livestock and /or fowl shall have 14 days to cure the violation. If the violation is not cured within the allocated time, the Animal Control Officer is authorized to confiscate any animal which is the subject of the violation, and impound said animal in a humane manner. The owner or keeper of the confiscated animal(s) shall be responsible for all veterinary fees, impoundments fees, and any charges incidental to maintaining the animal until a suitable living environment is located.

### SECTION 6 EFFECTIVE DATE

The effective date of the provisions of this Ordinance shall be the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

*Denny R. Caldwell*  
Perry County Judge Executive

*Frank Henley*  
Magistrate District 1

*Ronald D. Comb*  
Magistrate District 2

*Earl Brashear*  
Magistrate District 3

Attest:  
*Tawana Kelly*  
Perry County Clerk