

ORDINANCE OF THE SPARTANSBURG BOROUGH COUNCIL

NO. 02 -2011

KEEPING ANIMALS IN THE BOROUGH

General Regulations:

1. Any person being the owner or entitled to the possession of any animal of the species of horse, mule, ass, cattle, llama, alpaca, sheep, goat, domesticated fowl and exotic animals (except domesticated fowl maintained in a residence), including but not limited to duck, chicken, goose, turkey or peafowl or swine of any kind, shall be permitted to keep the same within the limits of the Borough except as the same is now or may be hereafter forbidden by ordinance by securely confining the same in a stable or other building; or an enclosure surrounded by a secure, well-built fence of sufficient height and strength to confine such animal therein; or the same may be securely staked out in a vacant lot in such manner that it cannot get upon any street, alley, or other public place within the Borough; provided, that the same is so confined or staked out as to effectively prevent it getting within 50 feet of any neighboring dwelling or other building in which persons work or are accustomed to be, or near enough to the property of another to do any damage thereto or commit any nuisance thereupon; and provided further, that any such animal shall be considered as running at large when it breaks away from its fastenings or is herded or permitted to feed upon any of the streets, alleys or other public places of the Borough. Such confinement or staking must provide adequate food, water and shelter so that animal will not suffer abuse or neglect. The Borough is enacting this ordinance to ensure public health and safety and prevent nuisances, specifically safety, odor and noise.
2. USDA will be used as a guideline.

Requirements Defined

1. The keeping of livestock shall not exceed stocking rates of one animal unit per acre.
2. Confinement
 - 2.1. Animal confinement structures must have setbacks from adjacent neighboring dwellings of at least 50 feet.
 - 2.2. Hives or colonies of bees shall be kept in a manner in which they are inaccessible to the general public and so that bee movements to and from the hive do not interfere with the ordinary movements of persons on adjacent properties or the public right-of-way. Hives shall be located at least 50 feet from the nearest property line. The terms "hive," "colony," "colonies of bees" and "bees" as used in this section shall have the meanings set forth.
3. All stables and other buildings and all enclosures and premises upon which any such animals are kept and confined shall be kept in a clean, healthful, and sanitary condition by the person owning,

NO. 02 -2011 KEEPING ANIMALS IN THE BOROUGH

possessing, or using any such premises for said purposes, and no persons owning, possessing, or using any such premises shall permit any nuisance to be formed or to accumulate thereon.

4. It is the duty of the Spartansburg Borough Representative to inspect all premises whereon any such animals are confined or kept, and to enforce the regulation of this chapter. If any such premises are not kept in a manner as required by this chapter, such officer or officers shall at once notify the persons owning, possessing, or using the premises for such purpose to place the same in a safe, secure, clean, healthful, and sanitary condition, and such person shall immediately comply with such order.
5. Hitching Posts at Business and Temporary Areas are exempt from this Ordinance.

Penalty

1. Any person violating any of the provisions of this section shall be deemed guilty of an infraction and upon conviction thereof shall be fined in any sum not to exceed \$250.00.

Keeping of Fowl

1. The keeping of fowl(s) shall be permitted on properties used for single-family and duplex residential purposes. Please reference Section 2 Requirements Required for the guidelines permitted to have such animals.
2. Fowl enclosures shall be kept in a good working condition, shall not cause odor or noise nuisances, and shall not be deemed unsightly from any public right-of-way, as determined by the borough representative.

Violations

1. The owner of any property in violation of subsection of this section, as determined by the administrator, shall be subject to the infraction penalties defined in Section defined under Penalty, Section 1.
2. Within seven days of the notice of violation the property owner shall correct the cause of violation. If the violation has not been corrected in this time, the Borough, with cause, may seek legal entry to the property to remove the fowls. The property owner will be responsible for any costs incurred by the Borough to ensure the nuisance is removed.
3. Animals – Minimum standards for all animals.
 - 3.1. The animal(s) is kept in such a manner that meets all of the following minimum standards so that a nuisance is not created that would impact adjacent property owners. Please reference Paragraph 1 under General Regulations.
4. Trespassing: The animal(s) is not allowed to trespass on another's property.

NO. 02 -2011 KEEPING ANIMALS IN THE BOROUGH

This Ordinance shall take effect and be enforced from and after its approval and advertising as required by law.

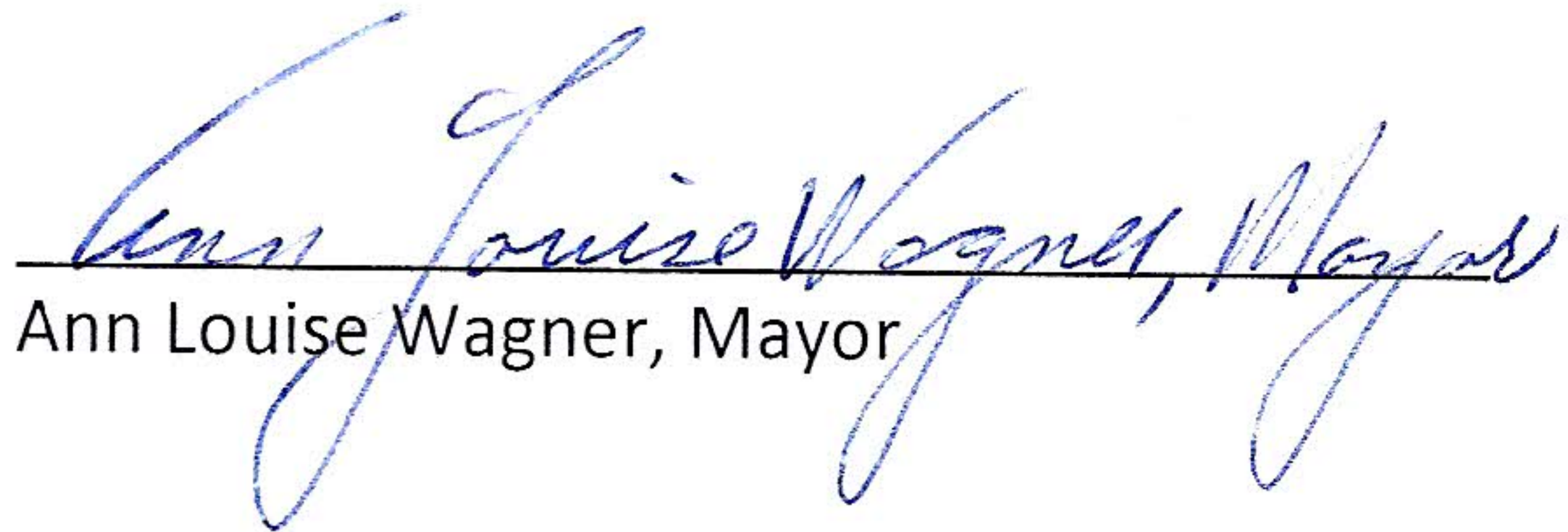
Ordained and enacted into law by Council of the Borough of Spartansburg, in a lawful session assembled the 6 day of December, 2011.

In witness whereof, the undersigned officials have hereunto set their hands.

BOROUGH OF SPARTANSBURG

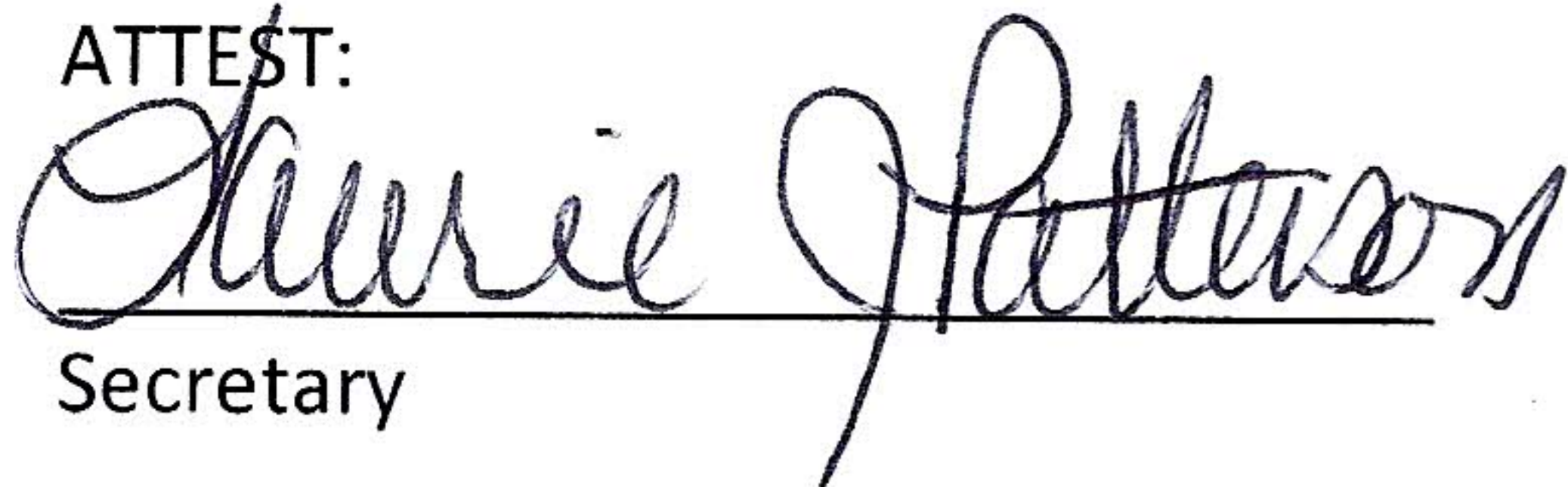


Nathan Blakeslee, President



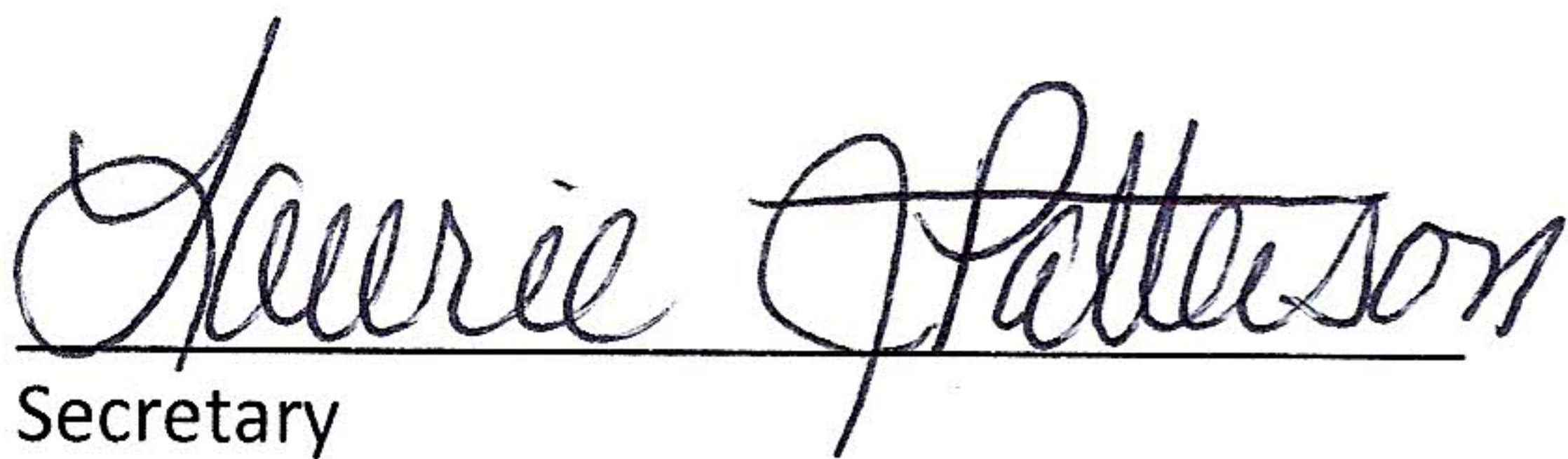
Ann Louise Wagner, Mayor

ATTEST:



Secretary

I hereby certify that the foregoing Ordinance was advertised in the Corry Journal on November 17, 2011, a newspaper of general circulation in the Municipality and was duly enacted and approved as set forth at a regular meeting of the Borough of Spartansburg held on December 6, 2011.



Secretary