

POPULAR NAME

Backyard Poultry Regulation and Animal Ordinance
Modernization Act

BALLOT TITLE

An ordinance amending Sections 6.04.02 and 6.12.01 of the Horseshoe Bend Municipal Code to allow the regulated keeping of domesticated poultry, including chickens and ducks, within city limits; establishing limits on number of birds, sanitation requirements, enclosure standards, setback requirements, and prohibitions on roosters and commercial breeding; and clarifying the list of animals permitted within the city.

INITIATED ORDINANCE

City of Horseshoe Bend, Arkansas

AN ORDINANCE

Amending Sections 6.04.02 and 6.12.01 of the Horseshoe Bend Municipal Code to allow regulated backyard domesticated fowl and to clarify the list of animals permitted within the city.

WHEREAS The City of Horseshoe Bend currently regulates animals through Sections 6.04.02 and 6.12.01 of the municipal code; and

WHEREAS the existing ordinance structure prohibits certain animals including chickens while simultaneously maintaining a “positive list” of allowed animals; and

WHEREAS domesticated poultry ownership under reasonable regulations is permitted in many Arkansas communities; and

WHEREAS modern municipal animal ordinances commonly allow limited backyard poultry ownership while maintaining sanitation and nuisance protections; and

WHEREAS the residents of Horseshoe Bend desire to modernize outdated ordinance provisions while preserving neighborhood standards and animal control enforcement;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF HORSESHOE BEND, ARKANSAS

SECTION 1

Amendment to Section 6.04.02 – Restrictions on Keeping Animals

Section 6.04.02 of the Horseshoe Bend Municipal Code is hereby amended to read as follows:

No livestock animals such as horses, cows, sheep, or goats shall be kept within the boundaries of the City of Horseshoe Bend except within areas designated by zoning ordinance for pasture or stables.

Domesticated poultry may be kept within city limits under the regulations established in this chapter.

SECTION 2

Backyard Poultry Regulations

Domesticated poultry including chickens and ducks may be kept within the city subject to the following conditions:

1. No more than ten (10) domesticated fowl per household shall be permitted.
2. Roosters are prohibited within city limits.
3. Geese, guinea fowl, turkeys, and peafowl are prohibited.
4. Birds must be kept in clean, enclosed coops or runs designed to protect the birds and prevent escape.
5. Birds shall not be allowed to roam freely outside of enclosed areas except within fully fenced yards where permitted.
6. Poultry coops or enclosures must be located at least twenty-five (25) feet from neighboring residences.
7. Commercial breeding, slaughter, or sale of poultry is prohibited within city limits.
8. Poultry enclosures must be maintained in a sanitary condition to prevent odor, pests, or nuisance conditions.
9. The Animal Control authority of the City of Horseshoe Bend retains full authority to enforce nuisance, sanitation, cruelty, and animal control provisions.

SECTION 3

Amendment to Section 6.12.01 – Allowed Animals

Section *6.12.01* of the Horseshoe Bend Municipal Code is hereby amended to include the following permitted species:

M. Domesticated poultry including chickens and ducks, subject to the regulations established in Section 6.04.02.

This addition clarifies that domesticated poultry are permitted animals within the city under regulated conditions.

SECTION 4

Enforcement

Violations of the regulations established in this ordinance shall be subject to enforcement under the existing animal control provisions of the Horseshoe Bend Municipal Code.

Animal Control officers may investigate complaints related to nuisance conditions, sanitation, or violations of the provisions contained in this ordinance.

SECTION 5

Severability

If any provision of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 6

Effective Date

This ordinance shall take effect immediately upon approval by the voters of the City of Horseshoe Bend.

SECTION 7

Repealer

All ordinances or parts of ordinances in conflict with this measure are hereby repealed to the extent of the conflict.

PETITION STATEMENT

We, the undersigned qualified electors of the City of Horseshoe Bend, Arkansas, hereby propose this initiated ordinance and respectfully petition that it be submitted to the voters of the City of Horseshoe Bend at the next municipal election.