



Legislation Details (With Text)

File #: ORD-16:087 **Version:** 1 **Name:** Amend Code of Ordinances Sec. 10-7 regarding to allow for pot-belly pigs

Type: Ordinance **Status:** Denied

File created: 12/28/2016 **In control:** Public Safety Council Committee

On agenda: **Final action:** 2/21/2017

Title: AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES, SECTION 10-7, ENTITLED "KEEPING OF SWINE" TO ALLOW FOR THE KEEPING OF POT-BELLY PIGS IN THE CITY OF JONESBORO

Sponsors:

Indexes: Code of Ordinances amendment

Code sections: Chapter 10 - Animals

Attachments: 1. Pig Ordinance Proposed Changes.pdf

Date	Ver.	Action By	Action	Result
2/21/2017	1	Public Safety Council Committee	Denied	
1/17/2017	1	Public Safety Council Committee	Postponed Temporarily	Pass

AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES, SECTION 10-7, ENTITLED "KEEPING OF SWINE" TO ALLOW FOR THE KEEPING OF POT-BELLY PIGS IN THE CITY OF JONESBORO

WHEREAS, the City Council of the City of Jonesboro, Arkansas desires to make an exception in the restrictions against owning swine in the city limits of Jonesboro, Arkansas to allow for the keeping of pet pot belly pigs; and

WHEREAS, Section 10-7 pertains to the keeping of swine and should be amended.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

SECTION ONE: That language of Ordinance 10-7 shall be deleted and it shall be replaced with the following language:

Sec. 10-7. POT-BELLIED PIGS

(a) Purpose. Miniature pot-bellied pigs are increasing in popularity as domesticated pets and the keeping of not more than two such animals on any single family residentially zoned property, zones are AG, RR, RS1 thru RS8, is permitted in the City. Pigs are excluded and not kept in Multifamily and Commercial areas RM4-RM16, RMH, CR1 And C1-C4. The keeping of such animal must be closely regulated and controlled to insure that such animal does not become a nuisance or danger to the general public and the neighborhood in which it is kept. The City Council finds that the keeping of potbellied pigs so as not to create a nuisance can be reasonably accommodated by licensing and other restrictions.

(b) Definition. Pot-Bellied Pig for the purposes of this chapter, the words "potbellied pig" shall mean a domesticated miniature Vietnamese, Chinese or Asian pot-bellied or pot-belly pig. It is also understood that purebred "potbellied pigs" are virtually non-existent. However, for the purpose of this ordinance, inherent

characteristics of a potbellied pig must be exhibited and the pig certified by a licensed veterinarian as such as explained in sub-section (e) (3) of this ordinance. Live Stock: Any animal kept, bought, sold, or raised for food, fiber, or profit.

(c) Administration and enforcement. The provisions of this Chapter shall be administered and enforced by the City's duly appointed and acting Animal Control Director as defined by this Title and the officers of Animal Control. In addition, the provisions of this Chapter may be enforced by any law enforcement officer or code compliance officer of the City.

(d) License, compliance with regulations. It is unlawful for any person to own or have custody, control or possession of any pot-bellied pig within the City unless such pig is licensed pursuant to the provisions of this Chapter within thirty (30) calendar days upon said pig's entry to the City and unless said pig complies with the regulations as set forth in this Chapter.

Any pig currently residing within the city limits will have (30) calendar days to comply with the regulations and requirements set forth in this ordinance.

(e) Licensing procedures. Any person owning or having custody or control of a pot-bellied pig within the City may obtain a license for such pig from the Animal Control Director in accordance with the following procedures:

1. *Application.* File with the Animal Control Director an application on a form provided by the City which shall contain the following information:

- A. The name and address of the applicant and the address of the property upon which the pot-bellied pig is to be kept;
- B. The name, age and weight of the pot-bellied pig including any identifying marks or tattoos and photo;
- C. Such other reasonable and customary information requested as the Animal Control Director deems appropriate:

2. *License Fee.* The application shall be accompanied by a nonrefundable Initial license fee as will be determined by resolution of the Jonesboro City Council. The initial license fee will cover up to two (2) pigs.

3. *Veterinary Certification.* The application shall be accompanied by a statement signed by a licensed veterinarian certifying that the pig exhibits the traits and characteristics inherent with potbellied pigs and the pig has been spayed/neutered, that the pig is in good health and has received all necessary vaccinations, and the height and weight of the pig. Such certification shall be no older than thirty calendar days when submitted to the Animal Control Director.

4. *Surrounding Residence Approval.* Letter from all resident/owners who reside within 300 feet of property of pot-bellied pigs owner, acknowledging and having no objection to pot-bellied pig residing in neighborhood.

5. *Limits of Ownership.* No more than TWO (2) potbellied pigs may be kept on any single family residential lot or residential estate.

(f) Issuance, term, renewals. 1. *Issuance of License.* The Animal Control Director shall issue a license for the keeping of a pot-bellied pig on a lot within the City zoned for such use upon the filing of a completed application and a finding that the animal meets the requirements set forth in subsections A through H of Section

070.

2. Term of License. Any license issued pursuant to this chapter shall be valid for a period of one year from the date of issuance; provided, however, any license expiring on a Saturday, Sunday or holiday, shall be valid until the next work day.

If pig(s) are moved from the permitted area then owner will notify Animal Control within 10 days of the moving and relocation of pig(s).

3. Renewals. Any license issued pursuant to this chapter may be renewed for periods of one year each upon the filing of an application for such renewal with the Animal Control Director accompanied by a nonrefundable renewal fee as will be determined by resolution of the Jonesboro City Council and will cover up to two (2) pigs. The renewal application shall be on such form as provided by City. The Animal Control Director shall issue such renewed license unless it is found that the pot-bellied pig is not in compliance with the regulations as set forth in Section 070.

(g) Regulations. The owner or person having custody, control, or possession of a pot-bellied pig within the City shall comply with the following regulations:

1. Registration. Pot-bellied pig must be registered through a bona fide pot-bellied or miniature pig registry.

2. Spayed/Neutered. The pot-bellied pig shall be spayed or neutered between 8 -12 weeks of age.

3. Weight. The pot-bellied pig shall not weigh more than one hundred seventy five pounds.

4. Height. The pot-bellied pig shall not exceed 22 inches in height as measured from the shoulder of said animal. If a pig exceeds these shoulder measurements, the certified veterinarian shall speak directly to the cause of the increase size.

5. Tusk. A pot-bellied pig must have their tusks maintained to a length of no more than ½ inch from gum line.

6. Veterinarian Statement. Animals shall be examined by a veterinarian within a period of thirty (30) days prior to a new or renewal license application being filed. The animal may be licensed only upon written statement from a veterinarian as to:

- * The animal's weight, height and tusk exam
- * The animal has received all recommended vaccinations and boosters.
- * The animal is a-symptomatic respecting disease or has a disease which is not contagious and is receiving appropriate treatment.

7. Confinement on Premises. Each pot-bellied pig shall be provided with a fenced yard designed to assure that the animal is confined and managed in a safe, clean and odor-free manner when out-of-doors. Feces will be picked up and removed on a daily basis. Notwithstanding any other provision of this code, the pot-bellied pig must be kept as a pet in the residence on the lot upon which said pig resides. A pig cannot be kept outdoors on a permanent basis. No potbellied pig shall be housed outdoors. No outdoor shelters shall be erected for this purpose.

8. Off Premises Leash Requirements. Each pot-bellied pig while on a street, sidewalk or other public place shall

be restrained by a harness and leash or similar restraint not longer than six feet in length held by a competent person. Harness shall have a tag or plate bearing the owners name and address and current state rabies tag attached.

(h) Revocation of license. The license for a pot-bellied pig issued pursuant to this chapter may be revoked by the Animal Control Director upon the finding that the provisions of Subsections A through H of Section 070 have been violated and not corrected within ten calendar days of issuance by the Animal Control Director or an officer of the Animal Control Director of a notice of such alleged violation or within such longer period as may be specified in the notice of violation. Upon failing to correct the violation within the required time, the Animal Control Director shall issue a written notice of the revocation of the license and the pot-bellied pig must be removed from the City within ten calendar days thereafter or such longer period as may be set forth in the notice of revocation.

The owner of a collared Pot Bellied Pig with proper tagging found roaming without accompaniment of a competent person, outside the premises of the owner shall be fined \$50.00 for the first offense and \$100.00 for the second offense. Three offenses in a period of 12 months from the first offense will be cause for immediate removal of the animal from the premises and the city limits.

Any Pot Bellied Pig found roaming without the proper collar / tagging will be designated as feral and immediately removed and destroyed.

(i) Breeding of Pot Bellied Pigs. No breeding and / or commercial sale of Pot Bellied Pigs are allowed within the city limits.

(j) Adherence to Animal Count. It shall be unlawful for any person to own or possess more than two pot-bellied pigs at any one time within the city limits of Jonesboro Arkansas. Pot-bellied pigs shall be counted toward the total number of domestic animals and/or fowl as stated in Section 10-10 (b).

(k) Other Swine. Any and all other swine not meeting the definition of "pot-bellied pig" as defined in this ordinance and thereby not regulated by the terms and conditions of this ordinance are prohibited within the city limits of Jonesboro.