

ORDINANCE #2, Amendment #3

An amendment to Ordinance #2, Section 41; Nuisance Ordinance

The Town of Butte Falls Doth Ordain the following:

SECTION 41. LIVESTOCK, HORSES. Livestock, for the purposes of this Amendment is defined as: Livestock are domesticated animals raised in an agricultural setting to produce commodities such as food, fiber and labor, to include horses, cows, sheep, goats, pigs and poultry. With the exception of poultry (as defined in Section 48), it shall be unlawful for any person or persons to keep any other livestock within the platted portion of the Town of Butte Falls. Horseback riding shall be permitted unless such riding becomes a nuisance or health hazard.

A. From the date of this Amendment forward, any livestock (including poultry) found at large within the platted boundaries of the Town of Butte Falls will be penned, identified and the owner of said livestock notified either by telephone call or in person or in writing, however is the most prudent at the time. Owner of said livestock shall be fined as follows:

1. \$100 per day, per animal, first offense; and
2. \$500 per day, per animal, second offense and thereafter.

B. Any livestock that is found at large and left unclaimed by owner after a period of three days, in addition to fines accrued above, said animal(s) shall be transported to the livestock auction and sold. Proceeds of sale of said livestock shall be retained by the Town of Butte Falls. Costs of transporting said livestock to auction shall be borne by owner, in addition to accrued fines, per A1 and A2 above.

C. Any livestock found at large within the platted boundaries of the Town of Butte Falls identified as a third time offender, no further notice will be given to owner, as owner will be deemed in chronic violation of this Ordinance. Said livestock will be transported to the livestock auction and sold. Proceeds of sale of said livestock shall be retained by the Town of Butte Falls. Costs of transporting said livestock to auction shall be borne by owner.

D. In addition to any and/or all of the above, if said large livestock is found to have caused any damage to private or public properties located within the Town of Butte Falls, owner of said livestock will be required to pay restitution to property owner, or the Town whichever the case may be, for the actual cost to repair said damage.

E. If it is necessary to refer collection of accrued fines (listed above for at large livestock violations or damages done by said livestock) to an attorney for collection, said cost of collection proceedings shall be borne by owner.

The Town Council does hereby approve and adopt Ordinance #2, Amendment #3 on this 18th day of February 2014.

ATTEST:

Fred Phillips, Mayor

Lori Paxton, City Recorder

Posted 2-20-14 for 30 days