**ORDINANCE NO. 2018-1072**

**AN ORDINANCE OF THE TOWN OF SUPERIOR, SWEETWATER COUNTY, WYOMING ALLOWING THE KEEPING OF RABBITS AND CHICKENS**

**WHEREAS,** the Town of Superior prohibits the own or keep certain species of animals, generally considered as livestock, in town, and;

**WHEREAS,** the Town Council wishes to amend the Ordinance to allow Chickens and Rabbits; and

**WHEREAS**, the ownership of such in a safe and humane way requires certain governance.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF SUPERIOR, SWEETWATER COUNTY, WYOMING THAT THE TOWN CODE SHOULD BE MODIFIED IN THE FOLLOWING WAY:

5-13A-1: PROHIBITED ANIMALS:

It is unlawful for any person to keep, maintain, pasture, stable, corral, house, or allow to run at large within the corporate limits of the town any horses, cattle, sheep, goats, hogs, mules, donkeys, llamas, predatory animals or fowl other than chickens.

**5-13c -1 – Keeping Of Chickens**

1. Chickens Permitted: So long as the owners and keepers are in compliance with all other provisions herein and in this Town Code, the keeping of chickens shall be allowed within Town limits.
2. Number: The maximum collective and inclusive number of chickens and rabbits (pursuant to 5-13D-1) which may be kept on one lot is twelve (12).
3. Roosters and other poultry: No rooster over one (1) month in age or any other poultry shall be kept in Town without an applicable and active Conditional Use Permit.
4. Containment: All chickens must be maintained in an appropriately predator-resistant, fenced area contained completely on the one lot. The minimum size of said fenced area must be a minimum of six (6) square feet per chicken. Any chicken found outside the property of any owner or keeper shall constitute a nuisance and may be permanently removed from the community or destroyed at the discretion of law enforcement. Additionally, such animal may be considered at large as regulated by this code.
5. Clean and Orderly: All areas accessible by chickens shall be maintained in a clean and orderly manner, and any keeping of chickens in a manner which is likely to spread odor, noise or disease, such as Salmonella, is prohibited. The failure to do so may constitute a separate offense for nuisance prosecutable under this Code.
6. Business prohibited: No chicken or product thereof, including meat and eggs, may be sold or exchanged for goods or services without the owner or keeper first obtaining an applicable conditional use and business permit. Nothing in this provision shall prohibit the sharing, without remuneration, of such products.
7. Any violation of this Ordinance, including chicken or chickens running at large, constitutes one or more misdemeanors punishable by a fine. Every day of a continuing violation may constitute a separate offense.

**5-13d -1 – Keeping Of rabbits**

1. Rabbits Permitted: So long as the owners and keepers are in compliance with all other provisions herein and in this Town Code, the keeping of rabbits shall be allowed within Town limits.
2. Number: The maximum collective and inclusive number of chickens (pursuant to 5-13C-1) and rabbits which may be kept on one lot is twelve (12).
3. Containment: All rabbits must be maintained in an appropriately predator-resistant, fenced area contained completely on the one lot. Any rabbit found outside the property of any owner or keeper shall constitute a nuisance and may be permanently removed from the community or destroyed at the discretion of law enforcement. Additionally, such animal may be considered at large as regulated by this code.
4. Clean and Orderly: All areas accessible by rabbits shall be maintained in a clean and orderly manner, and any keeping of chickens in a manner which is likely to spread odor or disease. The failure to do so may constitute a separate offense for nuisance prosecutable under this Code.
5. Business prohibited: No rabbit or product thereof, including meat and kits, may be sold or exchanged for goods or services without the owner or keeper first obtaining an applicable conditional use and business permit. Nothing in this provision shall prohibit the sharing, without remuneration, of such products.
6. Any violation of this Ordinance, including rabbit or rabbits running at large, constitutes one or more misdemeanors punishable by a fine. Every day of a continuing violation may constitute a separate offense.

First Reading -

Second Reading –

Public Hearing –

Third Reading –

Published .

PASSED AND APPROVED BY THE COUNCIL THIS \_\_\_\_\_ day \_\_\_\_\_\_\_\_\_ of 2018.

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dominic Wolf, Mayor**

**ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Anita Vaughn**