

CITY OF CARLISLE, IOWA

ORDINANCE NO. 797

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARLISLE, IOWA
BY AMENDING PROVISIONS PERTAINING TO ANIMAL PROTECTION AND CONTROL BY
UPDATING THE LIVESTOCK SECTION OF THE CODE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CARLISLE, IOWA:

SECTION 1. Chapter 55, Section 01, Subsection 9 is hereby repealed.

SECTION 3. Chapter 55, Section 05 is hereby repealed and the following adopted in lieu thereof:

55.05 LIVESTOCK.

1. No horse, cow, calf, swine, sheep, goat, llama, camel, ostrich, peacock, chicken, goose, duck or other agricultural animal or any nondomestic animal shall be kept within the city's corporate limits on any lot or parcel of land, except as provided under subsections 5 of this section of the code. The area where any such animal is kept shall be 25 feet from any neighboring residential dwelling and not located in a front yard area. The keeping of bees in hives is exempted from this section.
2. No such animal shall be kept on the same lot or premises with any multiple dwelling.
3. Any animal kept on an acreage shall be kept for personal use only and not for commercial use.
4. No person having the care of any cow or cattle of any kind, horse, swine, goat, fowl, or other animal, domestic or nondomestic, shall permit the animal to run at large as defined in subsection 55.01(3) of this chapter within the corporate limits.
5. Small caged animals and fowl such as pigeons, quail, and chickens which are of such type and nature that state and national associations exist establishing norms for breeding, confining and rearing shall be allowed, provided that:
 - A. Cages, hutches, coops, or other confinement shall be at least 25 feet away from any neighboring residence; such enclosures shall be of sufficient size to house the number of animals or fowl permitted by state or national standards.
 - B. The area is maintained free of odors, insects and rodents, and disturbing noises such as crowing, cackling and gobbling, causing no safety or health hazards to the general public or interfering with the enjoyment of life and property by any neighboring resident.
 - C. Any building or part thereof used for housing animals shall be well ventilated, and its walls, floors and ceilings shall be tight and of such material, satisfactory to the environmental health officer and building official, that they may be readily washed, disinfected and painted.
 - D. All enclosed yards, barns, sheds, or other structures used to house animals as permitted under this article shall be maintained clean, free from manure, insects and offensive odors at all times.

- E. Animals and fowl included in this subsection shall be fed in the confines of their enclosures; all grains and food shall be stored in rodentproof containers.
 - F. On any parcel of land, such animals shall be limited to 6 females in total number, unless an equivalent amount to 6 female chickens based on state and national standards are permitted.
 - G. No animal or fowl under this subsection may be maintained, enclosed or fenced in the front yard of a dwelling or within a dwelling.
 - H. The young produced by any animals or fowl of this nature may be maintained with the parent animals for a period of approximately eight weeks but in no case more than ten weeks, unless by state and national standards a longer period is required.
- 6. Nothing in subsection (f), (g) or (h) of this section shall be construed as abrogating any requirement in this Code which requires the licensing or permitting of any animal or the keeping thereof.
 - 7. Except as provided in subsection (f), (g) or (h) of this section, this article shall apply to all persons harboring, any animal in a manner not consistent with this article.
 - 8. Animals inclusive of such animals and fowl in this section brought in on a temporary basis for exhibits, shows, or educational purposes are exempt from this section, provided all other requirements under this Code are met.
 - 9. Any person presently owning or maintaining animals that are not in compliance with this chapter may make application to the City Council for a variance, provided such application meets the following conditions:
 - A. The keeping of such animals has been of long-standing duration, that is, in excess of three years, or is presently under commercial contract.
 - B. The area where such animals are maintained is so located as to cause no safety or health hazards to the general public or interferes with the enjoyment of life and property by any neighboring resident.

Any such variance is conditioned upon all circumstances for the granting of the variance remaining constant. The City Council, city administrator, or city administrator's designee may revoke the variance at any time after notice and opportunity for comment by the applicant, if it is determined that due to changed circumstances, the presence of the animals is causing a safety or health hazard to the general public or interferes with the enjoyment of life and property by any neighboring resident.

- 10. Any person who fails to perform an act required by the provisions of this chapter or who commits an act prohibited by the provisions of this chapter shall be guilty of a misdemeanor punishable by fine as provided by section 1-15 of this Code or shall be guilty of a municipal infraction punishable by a civil penalty as provided by section 1-15 of this Code.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudicated invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED by the City Council this 25 day of March 2024.

Drew Merrifield, MAYOR

ATTEST:

Shalee Crispen, CLERK

1st Reading Passed: March 25, 2024

2nd Reading Passed: Waived March 25, 2024

3rd Reading Passed: Waived March 25, 2024

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