

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 2, ANIMAL CONTROL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, with the adoption of Ordinance No. 8180 on June 6, 2009, the North Little Rock City Council adopted North Little Rock Municipal Code (NLRMC) Chapter 2, Animal Control, and has amended the same from time to time; and

WHEREAS, the City wishes to reduce the distance from residences within which fowl may be kept and maintained, and to limit the number of fowl that may be maintained within that distance; and

WHEREAS, City Council has determined that a reduction in the distance will not have a negative impact on neighboring property owners, that the reduced distance is consistent with provisions of neighboring cities, and that it is in the best interests of the citizens of the City to amend NLRMC Chapter 2.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 7.1.3 of the North Little Rock Municipal Code Chapter 2, Animal Control, is hereby amended as follows:

Editor's note: Changes are in **bold**. Deletions are denoted in "red" by strikethrough and additions in "blue" by underline.

**7.1.3 Distance from residences**

It shall be unlawful for any person to keep or maintain or permit to be kept or maintained any fowl within ~~75~~ 25 feet by air-line measurement of any residence or dwelling or place used for human habitation in the city, other than the dwelling of the owner of the person keeping and/or maintaining such fowl.

SECTION 2: That Section 7.1.5 of the North Little Rock Municipal Code Chapter 2, Animal Control, is hereby amended as follows:

Editor's note: Changes are in **bold**. Deletions are denoted in "red" by strikethrough and additions in "blue" by underline.

**7.1.5 Pens and enclosures, sanitary requirements.**

- (A) Any person who has been authorized pursuant to this article to keep or maintain fowl shall maintain a coop, pen or enclosure for the housing of the fowl. Said enclosure shall have a cumulative square footage equal to or exceeding three (3)

square feet for each individual fowl kept. Where the keeping or maintaining of fowl is permitted under this article, it shall be unlawful to so maintain coops, pens or enclosures where fowl are kept in an insanitary manner or in such condition that odors from such premises or enclosures thereon can be detected by persons inhabiting residences or living quarters ~~75~~ 25 feet distant by air-line measurement. Places so maintained are hereby declared to be sanitary nuisances.

- (B) Any person who has been authorized pursuant to this article to keep or maintain fowl shall clean the pens, coops or other enclosures where such fowl roost or are kept each 24 hours, shall spray and disinfect such areas each third day, and shall remove and destroy all refuse, droppings, feathers or other matter cleaned from such pens, coops or enclosures. All droppings from such fowl shall not be left aboveground upon any premises in the city for longer than 48 hours. Any person occupying, owning or having control of the premises where fowls are permitted to be kept shall collect and bury under six inches of dirt or soil or remove and carry away any and all such droppings and refuse each 48 hours.

SECTION 3: That North Little Rock Municipal Code Chapter 2, Animal Control, is hereby amended to add Section 7.1.7 as follows:

**Editor's note:** Changes are in **bold**. Deletions are denoted in "red" by strikethrough and additions in "blue" by underline

7.1.7 Maximum number of fowl. Any person who has been authorized pursuant to this article to keep or maintain fowl shall be limited to a total of twelve (12) fowl. Any person who has in excess of twelve (12) fowl on or before [the effective date of this ordinance] shall be permitted to keep the fowl until the death or removal from the City of the excess fowl.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 6: It is hereby found and determined that there is an immediate need to amend the North Little Rock Municipal Code Chapter 2, Animal Control to establish guidelines for the community cat program and allow for the microchipping of banned breeds; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

\_\_\_\_\_  
Mayor Terry C. Hartwick

SPONSORS:

Vince Insalaco III  
Council Member Vince Insalaco III  
*Vince Insalaco III*

APPROVED AS TO FORM:

*Amy Beckman Fields*  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

ATTEST:

\_\_\_\_\_  
Diane Whitbey, City Clerk

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|--|-----------------------------|------|-------|------|
| FILED  | <u>10:40</u>                | A.M. | _____ | P.M. |
| By   | <u><i>Amy Fields GA</i></u> |      |       |      |
| DATE   | <u><i>9-17-24</i></u>       |      |       |      |
| <b>Diane Whitbey, City Clerk and Collector<br/>North Little Rock, Arkansas</b> |                             |      |       |      |
| RECEIVED BY  | <u><i>[Signature]</i></u>   |      |       |      |