

ORDINANCE NO. 03-16-15A

ORDINANCE AMENDING AND CLARIFYING
CLARKSBURG MUNICIPAL CODE §13-202.

WHEREAS, the Mayor and Board of Aldermen of the City of Clarksburg desire to provide for the public health, safety and welfare of the City; and

WHEREAS, the City passed an Ordinance on July 6, 2001 adopting what is now CMC §13-202(11), which provided that no swine, chicken, cattle or other livestock or animals may be located within 300 feet of any home or business within the corporate limits of the City of Clarksburg; and

WHEREAS, the previous Ordinance failed to address the existence of any animals that maintained prior to the adoption of the Ordinance;

WHEREAS, the Mayor and Board of Alderman of the City of Clarksburg wish to clarify the provisions of CMC §13-202(11) as it relates to animals being housed in violation of the ordinance on July 6, 2001.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Clarksburg that CMC §13-202(11) be deleted in its entirety and that the following be substituted in lieu thereof:


Section 1.

13-202 (11) Swine, chickens, cattle or other livestock or animals located within three hundred feet (300') of any home or business located within the corporate limits of the City of Clarksburg, except that anyone maintaining horses, cattle or other livestock within the corporate limits of the City of Clarksburg on or before July 6, 2001 shall be allowed to continue to maintain said animals in their current location so long as said animals do not cause a public nuisance. Should horses, cattle or other livestock be removed from the property for a period of thirty (30) days after July 6, 2001 then the exception listed above shall no longer apply. Animals exempted herein shall be determined to have caused a nuisance if said animals cause an offense odor that can be smelled from adjacent property, result in offensive or hazardous materials as defined in CMC §13-202, cause excessive noise, or are housed in unsanitary or filthy conditions which endangers the health or safety of the public or the animals themselves.

Section 2. Effective Date. The effective date of this ordinance shall be April 20, 2015.

Passed First Reading March 16, 2015
DATE

Passed Second Reading April 20, 2015
DATE



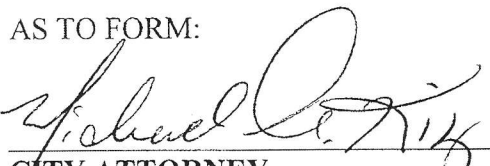
MAYOR

ATTESTED:



CITY RECORDER (SEAL)

AS TO FORM:



CITY ATTORNEY