

ORDINANCE NO. 16-167

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING CHAPTER 55, AND ADDING A NEW SECTION 55.06 – PROVISIONS PERTAINING TO LIVESTOCK

BE IT ENACTED by the City Council of the City of Creston, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Creston, Iowa, 1996, is amended by adding a new Section in Chapter 55, numbered 55.06, entitled LIVESTOCK, which is hereby adopted to read as follows:

55.06 LIVESTOCK. It is unlawful for a person to keep livestock within the City except by written consent of the Council. However, any nonconforming use in existence at the time of the passage of the ordinance codified in this section, or any future nonconforming use approved by the City, shall be allowed to continue under the following restrictions:

1. The number of head of livestock which a person may legally keep within the City shall be limited to the extent that there is adequate continuous acreage for the size and number of the livestock kept. It is unlawful for any person to keep within the City limits such a number of livestock which would tend to disrupt the peace and good order of the community or which becomes a nuisance due to noise, smell or other undesirable characteristics. Any shelter or enclosure will be maintained in a clean and sanitary condition, free from offensive odors and any fence used for the purpose of confining said livestock shall be of a character to eliminate nuisances or damages to adjoining property.
2. In the event of the sale, gift, conveyance or other transfer, whether by deed, inheritance or any other means, of any property afforded nonconforming use status herein, the right of the subsequent owner to continue such nonconforming use shall be terminated if not exercised within 365 days of the date said subsequent owner takes possession of the property.

3. Animal Control shall investigate complaints and issue citations if needed.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged 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 by the Council the _____ day of _____, 2016, and approved this _____ day of _____, 2016.

Mayor

ATTEST:

City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____