

ORDINANCE No. 02-10

AN ORDINANCE REGULATING THE KEEPING OF FARM AND EXOTIC ANIMALS
WITHIN THE CITY LIMITS OF THE CITY OF DIAMOND CITY, ARKANSAS BOONE CO.
BE IT ORDAINED BY THE CITY COUNCIL OF DIAMOND CITY ARKANSAS THAT:

WHEREAS: The city council of the City of Diamond City has determined the need to control the keeping of farm and exotic animals within the city limits for the health and safety of its citizens.

SECTION 1: Definitions. For the purposes of this ordinance, the definitions are as follows:

- a. Farm Animal is: any hoofed animal including equine, bovine, ovine, and swine.
- b. Farm Fowl is: any bird not able to be kept in a bird cage as a pet. Unlawful fowl would include chickens, ducks, turkey, pheasant, pigeon, owl, and all other such fowl
- c. Exotic Animal is: any species not native to the local area and/or habitat or that requires a permit by any agency of the state or federal government to maintain such an animal or fowl.
- d. Keeping is: the housing, feeding, watering and other care of a farm or exotic animal and or fowl for any length of time.
- e. City functions are: fairs, festivals, parades, fund raisers.
- f. Exotic House hold pets: are those animals and birds legally sold by commercial operations

SECTION 2: No person shall keep any farm, or exotic animal or fowl within the city limits of Diamond City, Arkansas Boone Co.

SECTION 3: Any person keeping a farm or exotic animal within the city limits shall be subject to a fine of Fifty Dollars (\$50.00) a day for each day of the violation until which time the animal is removed from town.

SECTION 4: Exceptions: Farm and exotic animals are permitted within the city limits long enough to participate in city parades, festivals, and fairs and then they must be removed. While the animals are in town for the events they must be properly cared for by the owner by supplying food, water, and shelter. If these animals are used commercially at such events such as pony rides, carriage rides, and petting zoos the owners and or businesses must have liability insurance coverage of a minimum of \$50,000 and a copy of the insurance shall be presented to the City Recorder one week prior to the event.

SECTION 5: Non-Venomous reptiles, lizards, fish, birds, and small fur bearing animals legally sold by commercial operations as household pets are permitted when safely and humanely kept.

SECTION 6: All ordinances, or parts of ordinances in conflict with this ordinance, or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. Should any part of this ordinance be found to be invalid by a court of competent jurisdiction, that invalidity shall in no way affect any other parts that are valid.

EMERGENCY: The City Council of Diamond City, Arkansas Boone Co., hereby declares this ordinance to be an emergency and this ordinance shall be in effect immediately. This emergency exists because of the danger and concern for the health and safety of its citizens

PASSED SEPT 7, 2010 YEAS 5 NAYS 0 ABSENT 1

DEVON ENGLEMAN yes

LARRY MOSELEY yes

KAY HOLLINGSWORTH yes

RANDY CENTER yes

RON MALLORY ABSENT

ED UMEK yes

ATTEST:


RECORDER/TREASURER

APPROVED


MAYOR