

ORDINANCE NO.: 2019-06

AN ORDINANCE TO AMEND TITLE 10, CHAPTER 1, SECTION 10-103 OF THE TOWN OF SIGNAL MOUNTAIN MUNICIPAL CODE IN REFERENCE TO KEEPING LIVESTOCK IN THE TOWN.

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WHEREAS, numerous residents have expressed a desire to keep goats within the town; and

WHEREAS, the Town of Signal Mountain has previously amended Title 10 of the municipal code to allow for the keeping of chickens on a trial basis and thereafter, as a result of positive experience, adopted the provisions permanently; and

WHEREAS, the Signal Mountain Municipal Planning Commission has recommended the proposed livestock provisions for adoption;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT:

SECTION 1. Title 10, Chapter 1, Section 10-103 of the Signal Mountain Municipal Code shall be deleted in its entirety and shall be replaced with the following language:

10-103. Keeping livestock in the town. Except as provided hereafter, it shall be unlawful for any person to keep swine, goats, sheep or other livestock within the town.

- (1) Large livestock animals. For the purpose of this section, “large livestock animals” is limited to equines and goats. Large livestock animals may be kept in the part of the town zoned ‘Residential Estate District’ under the following conditions.
  - a. All livestock and any products produced therefrom shall be for private use only; no commercial operations permitted.
  - b. Prior to the location of any livestock on a property any person must obtain a permit from the town manager or their designee, and an inspection will be conducted to ensure permittees are in compliance with this section. There shall be a permit fee of thirty-five dollars (\$35.00) and an annual renewal fee of fifteen dollars (\$15.00) for follow up inspections and the monitoring of complaints. ***The permit may be suspended or revoked by the town manager at any time when there is a risk from existing conditions to public health or safety and if there is any violation or failure to comply with the provisions of this section after a permit has been properly issued.*** Before any permit may be issued, the permittee must comply with the regulations outlined in this section. The regulations in this section shall not apply to the keeping of chickens.

- c. The minimum lot size required for keeping large livestock is three (3) acres. On a three (3) acre lot, two (2) animals are allowed. For additional livestock, the following is required:
  - 1. For livestock that will on average weigh up to 400 pounds at maturity, one (1) additional animal is allowed for each additional half-acre of land.
  - 2. For livestock that will on average weigh more than 400 pounds at maturity, one (1) additional animal is allowed for each additional acre of land.
  
- d. The following shall apply to placement of any private stable or other structure used to house livestock:
  - 1. Front setback: sixty feet (60’).
  - 2. Side setbacks: twenty-five feet (25’).
  - 3. Rear setback: fifty feet (50’).
  - 4. Stream setback; fifty feet (50’).
  - 5. Per Section 10-106 of the Town Code, no livestock may be housed in the front yard of any residence.
  
- e. All livestock allowed under this section shall be fenced or otherwise restricted from access to adjoining properties or rights of way.
  
- f. Livestock or the keeping thereof shall not create a nuisance. For the purposes of this section “nuisance” shall include but not be limited to:
  - 1. Animal found at large or astray.
  - 2. Animal damages the property of anyone other than its owner.
  - 3. Animal excessively making disturbing noises.
  - 4. Animal causing fouling of the air by odor and thereby creating unreasonable annoyance or discomfort to neighbors or others in close proximity to the premise where the animal is kept or harbored.
  - 5. Unsanitary conditions in enclosures or surroundings where animals are kept or harbored.
  
- g. Any person wishing to keep livestock other than goats or equines may seek approval from the Board of Zoning Appeals. If the Board of Zoning Appeals grants approval and all other requirements of this section are met, a permit may be issued.
  
- (2) Small livestock animals. For the purpose of this section, “small livestock animals” is limited to miniature, dwarf or pygmy breed goats that generally do not exceed a height of 30 inches (at highest point of withers) and weigh no more than 90 pounds at maturity. Small livestock animals may be kept on single family residential properties under the following conditions.

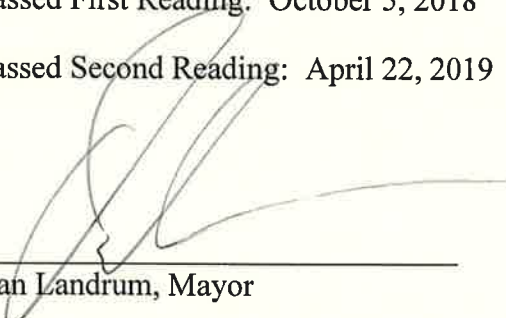
- a. All livestock and any products produced therefrom shall be for private use only; no commercial operations permitted.
- b. Prior to the location of any livestock on a property any person must obtain a permit from the town manager or their designee, and an inspection will be conducted to ensure permittees are in compliance with this section. There shall be a permit fee of thirty-five dollars (\$35.00) and an annual renewal fee of fifteen dollars (\$15.00) for follow up inspections and the monitoring of complaints. ***The permit may be suspended or revoked by the town manager at any time when there is a risk from existing conditions to public health or safety and if there is any violation or failure to comply with the provisions of this section after a permit has been properly issued.*** Before any permit may be issued, the permittee must comply with the regulations outlined in this section. The regulations in this section shall not apply to the keeping of chickens.
- c. The minimum lot size for keeping small livestock animals is two (2) acres.
- d. A minimum of two animals must be kept. On a two acre lot, two small livestock animals may be kept. One additional animal is allowed for each additional half-acre of land above two (2) acres.
- e. All livestock allowed under this section shall be fenced or otherwise restricted from access to adjoining properties or rights of way. Outdoor enclosures shall be a minimum of 500 square feet or 200 square feet per animal, whichever is greater.
- f. All animals must be dehorned/disbudded.
- g. All male animals must be neutered.
- h. Structures used to house small livestock animals must be designed to:
  1. Provide dry shelter, free of excess drafts and other environmental encroachments.
  2. Be predator proof.
  3. Be easily accessed and cleaned.
  4. Provide a minimum of fifteen (15) square feet of interior space or five (5) square feet per animal, whichever is greater.
- i. The following shall apply to placement of any structure used to house livestock:
  1. Front setback: sixty feet (60').
  2. Side setbacks: twenty-five feet (25').
  3. Rear setback: fifty feet (50').
  4. Stream setback: fifty feet (50').
  5. Per Section 10-106 of the Town Code, no livestock may be housed in the front yard of any residence.

- j. Livestock or the keeping thereof shall not create a nuisance. For the purposes of this section "nuisance" shall include but not be limited to:
1. Animal found at large or astray.
  2. Animal damages the property of anyone other than its owner.
  3. Animal excessively making disturbing noises.
  4. Animal causing fouling of the air by odor and thereby creating unreasonable annoyance or discomfort to neighbors or others in close proximity to the premise where the animal is kept or harbored.
  5. Unsanitary conditions in enclosures or surroundings where animals are kept or harbored
- k. This ordinance/section, 10-103(2), shall be effective for one (1) year from the date of its enactment to allow consideration of the use of small livestock animals within the Town of Signal Mountain on a trial basis. There shall be a sunset on the keeping of small livestock animals within the Town on November 12, 2019 unless this ordinance is approved to be extended by the Town Council prior that time. If the Town Council declines extension of this ordinance, the keeping of small livestock animals as allowed by this ordinance shall not be considered a legal nonconforming use within the Town thereafter, unless approved by separate action of the Town Council.

SECTION 2. That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading: October 5, 2018

Passed Second Reading: April 22, 2019

  
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Dan Landrum, Mayor

\_\_\_\_\_  
Date

4/22/19

  
\_\_\_\_\_  
Recorder

\_\_\_\_\_  
Date

4-22-19