

Notice is hereby given that a **Public Hearing** will be held on May 10, 2017 at 7:30 pm in the Town Hall Large Conference Room, 400 Main Street, Ridgefield, Connecticut to consider changes in Ridgefield Code under Chapter 120 Animals; Articles II and III. Underline & bold represents addition to existing language; brackets [ ] indicate deletion.

## **Article II Keeping of Livestock on Residential Property**

**[Adopted 11-28-2007]**

### **§ 120-6 Purpose.**

The purpose of this article is to:

- A. Regulate the keeping of livestock on small lots in high-density residential areas, defined as the R7.5, R10, R20, and SD R20 Zones, shown on the Town's Official Zoning Map.
- B. Regulate the management of livestock and livestock waste on small lots in high-density residential areas.
- C. Protect, preserve and promote the health, safety, welfare and quality of life of its residents.

### **§ 120-7 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

#### **LIVESTOCK**

Any hooved animal such as cattle, bison, swine, goats, sheep, llamas, camels, [horses], ponies, donkeys, mules and other hooved animals and poultry. When used in the singular, the term in this article shall be referred to as "livestock."

#### **RESIDENTIAL LOT/PROPERTY**

For the purpose of this article, "residential property" and "residential lot" shall be any [lot] property situated in the R7.5, R10, R20, and SD R20 Zones, as shown on the Town's Official Zoning Map.

### **§ 120-8 Minimum lot size; manure storage.**

- A. It shall be unlawful for any person to keep livestock on a residential [lot] **property** which [is] **has** less than 1/2 of a **usable** acre in size.
- B. It shall be unlawful for any person to keep any additional livestock on a residential [lot] **property** unless the [lot] **property** consists of an additional 1/2 acre in size over the first 1/2 acre, for each additional livestock.
- C. Manure storage or structures for manure storage (permanent or temporary) for any livestock subject to this article shall not be located any closer than 25 feet to any property line on [the residential lot] **any property**.

### **§ 120-9 Sanitation of enclosures.**

All stables, pens and yards, or other buildings or enclosures, either permanent or temporary, used for the keeping or use of livestock shall be maintained in a sanitary condition and subject to inspection by the

Director of Health, who may order the same closed or removed if not maintained in a sanitary condition, after notice to abate the unsanitary condition within a reasonable time as stated in § 120-10.

**§ 120-10 Enforcement; penalties for offenses.**

- A. The Director of Health shall enforce the provisions of this article pursuant to the Public Health Code. The Director of Health shall, pursuant to Connecticut General Statutes § 19a-229 and § 19a-9-14 of the Regulations of Connecticut State Agencies, include in any order issued pursuant to this section a notice of an individual's right to appeal any such order to the Commissioner of Public Health.
- B. The Director of Health shall first issue a warning to a landowner if such landowner's property is in violation of this article. Thereafter, if the landowner does not comply (within 30 days), the Director of Health shall issue an order, in writing, to the landowner via certified mail, return receipt requested, to comply with this article by a specified date, not to be more than 30 days after issuance of such order. If the landowner does not comply with the order by the specified date, the landowner shall be subject to a civil penalty of not less than \$100 nor more than \$250 per day for each day the violation persists after the date specified by the Director of Health.
- C. Penalties shall be made payable to the Town of Ridgefield and shall be deposited with the Town's Tax Collector.
- D. Pursuant to Connecticut General Statutes § 19a-206, the Director of Health, or any official authorized to institute civil proceedings on behalf of the Town, in order to enforce an order of the Director of Health, may seek an injunction in the Superior Court, a court order for collection of the civil penalty addressed herein, and other remedies pursuant to statute.

**§ 120-11 Appeals.**

Any landowner aggrieved by an order of the Director of Health may appeal that order to the Commissioner of Public Health not later than three business days after the date of such person's receipt of such order pursuant to Connecticut General Statutes § 19a-229.

**Article III**

**Keeping of Horses on Residential/Nonresidential Property**

**§ 120-12 Purpose.**

**The purpose of this article is to:**

- A. Regulate the keeping of horses in residential and non-residential areas in the Town of Ridgefield.**
- B. Regulate the management of horse waste on residential and non-residential properties in Ridgefield.**
- C. Protect, preserve and promote the health, safety, welfare and quality of life of Ridgefield's residents.**

**§ 120-13 Definitions.**

**As used in this article, the following terms shall have the meanings indicated:**

## EQUINE USABLE

The land where a horse will be kept that is properly drained, contains no steep slopes or excess of rock outcroppings, and is not inclusive of a septic system.

## HORSE

Any solid-hooved plant-eating domesticated mammal with a flowing mane and tail, used for riding, racing and to pull loads.

## PADDOCK

A fenced-in area used to contain horses.

## RESIDENTIAL, NON-RESIDENTIAL LOT/PROPERTY

For the purpose of this article, "residential property" and "non-residential property" shall be any property which is zoned for single-family homes, multi-family, apartments, condominiums or any business use.

### § 120-14 Minimum lot size; manure storage.

- A. It shall be unlawful for any person to keep a horse on a residential or non-residential property which is less than 1.5 equine usable acres in size.
- B. It shall be unlawful for any person to keep an additional horse on a residential/non-residential property unless the land consists of an additional 1/2 acre in size of equine usable property over the first 1.5 acres, for each additional horse.
- C. Manure storage or structures for manure storage (permanent or temporary) for any horse waste shall not be located any closer than 25 feet to any property line on the residential/non-residential property. Manure shall be kept covered, stored in watertight containers/pits, and must be removed at least once per week from May 1<sup>st</sup> to October 1<sup>st</sup>. Also a 100' setback of manure piles shall be enforced from water bodies (river, stream, pond, lake) and a 150' setback from a tributary to a public water supply.
- D. Any horse owner whose property does not meet the requirements contained in the sections above as of the date of adoption of this ordinance may file an appeal with the Board of Selectmen.

### § 120-15 Enclosures.

All stables, pens and yards, or other buildings or enclosures, either permanent or temporary, used for the keeping or use of horses shall be maintained in a sanitary condition and subject to inspection by the Director of Health, who may order the same closed or removed if not maintained in a sanitary condition, after notice to abate the unsanitary condition within a reasonable time as stated in § 120-13. A three-sided shed, well bedded and free from drafts and rain is required for any parcel on which a horse is allowed. All fences shall be constructed of wood (plank, board, split rail, rail etc.) with posts being no greater than 10' apart and subject to a 15' setback from any adjacent residential or non-residential property line (in agreement with adjacent property owners). Paddocks adjacent to open space shall be exempt from the above 15' setback requirement. Any appended woven wire fencing shall have openings no greater than 4" and installed at a height of at least 4'. Any electrical fencing shall require an electrical permit from the Ridgefield Building Department. Any horse owner whose property does not meet the requirements contained in the section above as of the date of adoption of this ordinance may file an appeal with the Board of Selectmen.

**§ 120-16 Enforcement; penalties for offenses.**

- A. The Director of Health shall enforce the provisions of this article pursuant to the Public Health Code. The Director of Health shall, pursuant to Connecticut General Statutes § 19a-229 and § 19a-9-14 of the Regulations of Connecticut State Agencies, include in any order issued pursuant to this section a notice of an individual's right to appeal any such order to the Commissioner of Public Health.**
- B. The Director of Health shall first issue a warning to a landowner if such landowner's property is in violation of this article. Thereafter, if the landowner does not comply (within 30 days), the Director of Health shall issue an order, in writing, to the landowner via certified mail, return receipt requested, to comply with this article by a specified date, not to be more than 30 days after issuance of such order. If the landowner does not comply with the order by the specified date, the landowner shall be subject to a civil penalty of not less than \$100 nor more than \$250 per day for each day the violation persists after the date specified by the Director of Health.**
- C. Penalties shall be made payable to the Town of Ridgefield and shall be deposited with the Town's Tax Collector.**
- D. Pursuant to Connecticut General Statutes § 19a-206, the Director of Health, or any official authorized to institute civil proceedings on behalf of the Town, in order to enforce an order of the Director of Health, may seek an injunction in the Superior Court, a court order for collection of the civil penalty addressed herein, and other remedies pursuant to statute.**

**§ 120-17 Appeals.**

**Any landowner aggrieved by an order of the Director of Health may appeal that order to the Commissioner of Public Health not later than three business days after the date of such person's receipt of such order pursuant to Connecticut General Statutes § 19a-229.**