

Notice is hereby given that a Public Hearing will be held on September 27, 2017, 7:30 PM, Town Hall Large Conference Room, 400 Main Street, Ridgefield, Connecticut to consider the following changes in Ridgefield Code under Chapter 120. Animals. Underline & bold italics represents addition to existing language; brackets and strikethrough {~~strikethrough~~} indicates deletion of text.

## **Chapter 120. Animals**

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

#### § 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 property lot 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 which is less than 1/2 of an acre in size.
- B. It shall be unlawful for any person to keep any additional livestock on a residential lot unless the lot 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.

#### § 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 Property 1.5 Acres or less**

§ 120-12. *Purpose.*

- A. *Regulate the management of horses and horse waste on properties of 1.5 acres or less.*
- B. *Protect, preserve and promote the health, safety, welfare and quality of life of Ridgefield residents.*

§ 120-13. *Definitions.*

**USABLE**

*The accessible portion of a property that will be used solely for the keeping of horses and that contains no steep slopes or significant rock outcroppings.*

**§ 120-14. Minimum Lot Size**

*A minimum of one-half acre of usable lot area shall be required.*

**§ 120-15. Enclosures.**

- A. All buildings and structures used for housing horses shall require zoning and building permits.*
- B. A run-in-shed or enclosed building shall be provided that is sized to simultaneously accommodate all horses on the property.*
- C. Fencing shall be installed and maintained to safely contain the horses within the property. Such fencing must be setback five feet from all adjacent property lines. Alternatively, a solid board fence may be installed on the property line if it is of sufficient height so as to prevent encroachment by the horse(s) onto neighboring properties.*
- D. All uses concerning paragraphs A, B and C above, shall be in compliance with all applicable Wetlands and Watercourse regulations.*

**§ 120-16. Sanitation of Enclosures**

- A. Manure shall be collected frequently from all areas and regularly removed from the property to maintain a sanitary condition and minimize odor, dust-producing substances and waste so as to prevent any health hazard, pollutants, disturbance or nuisance conditions with respect to adjacent properties and the neighboring community.*
- B. The setback for any manure pile shall be a minimum of 15' from any property line and in compliance with all local and state environmental regulations.*

**§ 120-17. Exemption**

*As of the date of the enactment of this ordinance, the property of any owner who has successfully maintained horses for 5 or more years, is exempt from § 120-14 and § 120-15. This exemption continues with the land provided that the use of the property remains as is.*

**§ 120-18. Enforcement & Penalties for Offense**

- A. The Director of Health shall enforce the provisions of this article pursuant to the Public Health Code.*
- B. Pursuant to Connecticut General Statutes § 19a-229 and § 19a-9-14 of the Regulations of Connecticut State Agencies, The Director of Health shall 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.*
- C. 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 a written order 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.*

- D. 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.*
- E. Penalties shall be made payable to the Town of Ridgefield and shall be deposited with the Town's Tax Collector.*
- F. Pursuant to Connecticut General Statutes § 19a-206, in order to enforce an order of the Director of Health, the Director of Health or any official authorized to institute civil proceedings on behalf of the Town, 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.*

**§ 120-18. Appeals**

*Any landowner aggrieved by an order issued 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.*