

FST READING 1-8-08
2ND READING 1-15-08
INDEX NO. _____

ORDINANCE NO. 12066

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 7, SECTION 7-74, RELATIVE TO
KEEPING OR POSSESSING SWINE, GOATS OR CHICKENS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 7, Section 7-
74, be and the same is hereby deleted in its entirety and the following substituted in lieu thereof:

Sec. 7-74. Keeping or possessing swine, goats or chickens.

(a) It shall be unlawful for any person to keep or possess swine, goats, chickens or roosters within the City on property other than agriculturally zoned land, unless such animals are kept on a tract of land containing five (5) or more contiguous acres. Any such animals must be kept or maintained in a manner which does not constitute a nuisance, including foul or offensive odors. Any person keeping chickens and/or roosters on a tract of land containing two (2) or more contiguous acres prior to December 1, 2005, shall be permitted to continue, provided that such use is not discontinued for thirty (30) or more continuous days.

(b) This section shall not be construed to apply to persons possessing such animals for the purpose of being transported through the City, to such animals being kept and offered for sale at regularly operated stockyards or slaughterhouses, or which are located temporarily on property for the purpose of controlling kudzu or other invasive plants. This section shall also not apply to Miniature African Pigs or Pot-Bellied Pigs kept as house pets. In the event that the animals are kept for the purpose of controlling kudzu or other invasive plants, the property owner must meet the requirements of Section 7-74(c).

(c) Any animals brought in temporarily to privately owned non-agricultural zones for the purpose of controlling kudzu or other invasive plants shall be subject to the following requirements:

(1) The animals shall be managed and monitored by a person who is a certified Goat Browsing Contractor or an appropriate contractor with equivalent certification, and who carries a

minimum of One Million and 00/100 Dollars (\$1,000,000.00) of liability insurance.

(2) The owner of the property to be browsed by the animals shall obtain written permission from the owner of the property through which the animals must gain access to the area to be browsed by animals, at least ten (10) business days prior to beginning operation. The use of animals shall be accomplished in a non-threatening manner, and shall be maintained so as not to infringe upon surrounding neighbors.

(3) The area to be browsed by animals shall be measured, staked, and appropriately fenced.

(4) The animals shall remain within a secure enclosure at all times. The animals may be moved to a separate holding pen at night, which shall be located the maximum distance practicable from residences.

(5) The animals shall be used for controlling kudzu or other invasive plants only and shall be removed when seasonal control has been established.

(6) Property owners shall remove and properly dispose of droppings from cattle, goats, or sheep, as needed, to prevent accumulation, to avoid a health or sanitation problems, or the breeding of flies, and to prevent discharge into the storm water system.

(7) The use of animals to control kudzu or other invasive plants shall be accomplished in such a way as to not create erosion. Reasonable care must be taken to prevent storm water run-off or in creating water quality issues.

(8) Any private landowner who uses animals to control kudzu shall obtain a permit from the City of Chattanooga Land Development Office. The permit fee shall be Fifty and 00/100 (\$50.00) Dollars and shall be valid for one growing season (April 1st through October 31st) and as long as the permit holder remains in compliance with this ordinance. Any such permit may be revoked by the head of Public Works upon satisfactory evidence that the requirements of Section 7-74(c) are not being complied with by the property owner or the contractor.

(9) Once a permit is obtained by the landowner, the landowner will be given the list of Certified Goat Browsing Contractors. The landowner must contract with one of the list of Certified Goat

Browsing Contractors or with an approved contractor with equivalent certification. All goat browsing or equivalent contractors shall have a current City business license.

(10) An inspection shall be conducted before the permit is approved. Another inspection shall be conducted before animals are placed on the property to ensure proper fencing has been established. Interim inspections may be conducted to determine if the contractor is complying with Section 7-74(c). A final inspection will be required after the browsing project is complete to ensure that the animals are removed from the site and any temporary fencing is dismantled.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall become effective immediately from and after its passage.

PASSED on Second and Final Reading

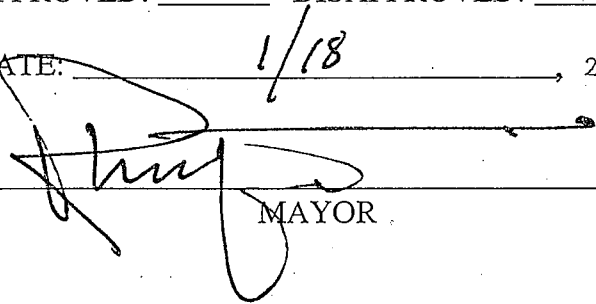
January 15, 2008.



CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: 1/18, 2008.



MAYOR

CRF/kac/add